

**ALLEN OWEN**  
Mayor

**JERRY WYATT**  
Councilmember at Large Position 1

**CHRIS PRESTON**  
Councilmember at Large Position 2



**YOLANDA FORD**  
Mayor Pro Tem  
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, February 5, 2018**, at **7:00 p.m.** at: **City Hall, Council Chamber, 2<sup>nd</sup> Floor**, 1522 Texas Parkway, Missouri City, Texas, 77489, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

### **1. ROLL CALL**

**2. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Elkins High School Air Force Junior Reserve Officer Training Corps.

### **3. PRESENTATIONS AND RECOGNITIONS**

- (a) Presentation on the 5th Annual Snowdrop ULTRA 55 Hour Race & Relay.
- (b) Presentation on upcoming Black History Month events.
- (c) Presentation on the grand opening of the City's Visitors Center.

### **4. PUBLIC COMMENTS**

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

### **5. STAFF REPORTS**

- (a) City Manager announcements.
- (b) Animal Shelter update.

### **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 January 2, 2018.
- (b) Consider an ordinance rezoning a tract of land from R-4, patio-cluster residential district, to PD planned development district to allow for the development of a multifamily residential community for independent senior adults; providing for an amendment to the Comprehensive Plan; providing a penalty; and consider the ordinance on the second and final reading. The subject site is located north of the Knanaya Homes residential subdivision, south of Scanlin Road, and west of Staffordshire Road, the Hunters Green and Quail Green West residential subdivisions.
- (c) Consider accepting the quarterly investment report for period ending on December 31, 2017.

**7. PUBLIC HEARINGS AND RELATED ACTIONS**

**(a) Zoning Public Hearings and Ordinances**

- (1) Consider an ordinance granting a request to amend the rules and regulations of PD Planned Development District No. 11 to allow for the location of an adult day care center; providing a penalty; and consider the ordinance on the first of two readings. PD No. 11 is located north and east of the intersection of Lake Olympia Parkway and State Highway 6 and includes a Public Storage facility (6725 Highway 6); a State Farm Insurance business (6705 Highway 6); a shopping center (6701 Highway 6); and a vacant fast food restaurant building (6855 Highway 6). The proposed adult day care center would be located within a lease space within the shopping center.

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

- (1) Public hearing to receive comments for or against a proposed ordinance creating Reinvestment Zone No. 17 for tax abatement purposes; encompassing an approximate 29.18-acre tract of land located north of a CenterPoint Energy Houston Electric LLC easement, south of Pine Meadow Drive, east of Echo Creek Drive, and west of South Cravens Road; and consider a related ordinance on the first of two readings.
- (2) Public hearing to receive comments for or against a proposed ordinance creating investment Zone No. 18 for tax abatement purposes; encompassing an approximate 16.82-acre tract of land north of Willow Oak Drive, south of Buffalo Run, west of Fairway Pines Drive, and east of Willow Wisp Drive in the City of Missouri City, Texas; and consider a related ordinance on the first of two readings.

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

**9. AUTHORIZATIONS**

- (a) Consider authorizing the City Manager to execute a contract for the purchase of rifles and optics for the Police and Fire and Rescue Services Departments.
- (b) Consider approving a parkland dedication for the Hagerson Road tract.
- (c) Consider authorizing a contract for the salary and benefits market study.

**10. ORDINANCES**

- (a) Consider an ordinance amending the general budget for the fiscal year beginning July 1, 2017, and ending June 30, 2018; transferring various appropriations among accounts; appropriating supplemental revenue to various fund accounts; authorizing the appropriate city officials to take steps necessary to accomplish such transfers; making certain findings; containing certain provision relating to the subject; and consider the ordinance on the first and final reading.

**11. RESOLUTIONS**

- (a) Consider a resolution suspending the February 9, 2018 effective date of the SiEnergy, LP statement of intent to increase rates within incorporated areas of central and south Texas to provide the City of Missouri City with time to study the request and to establish reasonable rates; finding that the City's reasonable rate case expenses shall be reimbursed by SiEnergy, LP; authorizing participation with the Gulf Coast Coalition of Cities; hiring legal and consulting services to negotiate with SiEnergy, LP, and direct any necessary litigation and appeals; and containing certain provisions relating to the subject.
- (b) Consider a resolution approving and ratifying a firearms purchasing program for City of Missouri City peace officers.
- (c) Consider a resolution adopting the 2017 Fort Bend County Hazard Mitigation Plan update.

- (d) Consider a resolution granting consent to Fort Bend County Municipal Utility District No. 149 to annex approximately 97.84 acres of land situated within the extraterritorial jurisdiction of the City of Missouri City.
- (e) Consider a resolution granting consent to Fort Bend County Levee Improvement District No. 15 to annex approximately 97.84 acres of land situated within the extraterritorial jurisdiction of the City of Missouri City.

**12. CITY COUNCIL ANNOUNCEMENTS**

*Discussion, review, and possible action regarding a meeting or activity of one or more of the following entities (each entity refers to a City of Missouri City entity unless otherwise indicated):*

Charter Review Commission, Community Development Advisory Committee, Construction Board of Adjustments, Electrical Board, Parks Board, Planning and Zoning Commission, Tax Increment Reinvestment Zone Boards, Fort Bend Chamber of Commerce, Houston-Galveston Area Council, Fort Bend Regional Council, Texas Municipal League, Fort Bend County, Harris County, Gulf Coast Building and Construction Trades Council, Mayor’s Youth Commission, Finances and Services Committee, Fort Bend Leadership Forum, Fort Bend County Drainage District, Economic Development Committee, Missouri City Parks Foundation, Missouri City Police and Fire Auxiliary, Livable Community Committee, Texas Parkway Alliance, High Performance Organization Committee, Missouri City Juneteenth Celebration Foundation, Fort Bend County Mayor and Council Association, METRO, Planning, Development and Infrastructure Committee, Fort Bend Independent School District, Greater Fort Bend Economic Development Coalition, Transportation Policy Council, Community Development Advisory Committee, Veterans Memorial Committee, Missouri City Recreation and Leisure Local Government Corporation, Missouri City Development Authority, and the Greater Houston Partnership and Emergency Management updates.

**13. 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.*

**14. RECONVENE**

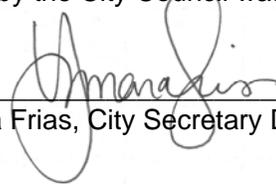
*Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.*

**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 February 5, 2018, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on February 2, 2018, at 4:00 p.m.

  
 \_\_\_\_\_  
 Yomara Frias, City Secretary Department

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the \_\_\_\_ day of \_\_\_\_\_, 2018.

Signed: \_\_\_\_\_ Title: \_\_\_\_\_



**Council Agenda Item  
February 5, 2018**

**1. ROLL CALL**

**2. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Elkins High School Air Force Junior Reserve Officer Training Corps.

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- (a) City Manager announcements.
  - (b) Animal Shelter update.
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**ALLEN OWEN**  
Mayor

**JERRY WYATT**  
Councilmember at Large Position 1

**CHRIS PRESTON**  
Councilmember at Large Position 2



**YOLANDA FORD**  
Mayor Pro Tem  
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 **Tuesday, January 2, 2018**, at the City Hall, Council Conference Room, 2nd Floor, behind the Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **6:00 p.m.** to consider the following:

### **1. CALL TO ORDER**

Mayor Owen called the meeting to order at 6:02 p.m.

Those also present: Councilmembers Wyatt, Preston, Boney, Maroulis, and Emery; City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Assistant City Manager Elmer, Fire Chief Campbell, Director of Public Works Kumar, Director of Communications Walker, Public Works Manager Kokes, Media Relations Specialist II Kalimkoottil, and Media Relations Specialist III Stottlemeyer. Also present: Frank Hester. Mayor Pro Tem Ford arrived at 6:10 p.m. Absent: City Manager Snipes.

### **2. DISCUSSION/POSSIBLE ACTION**

(a) Discuss the Capital Improvement Program.

Assistant City Manager Elmer discussed the fiscal year 2018 proposed projects in the Capital Improvement Program. He also presented on projects projected in the five-year plan. Elmer noted there would be no bond funding for City parks projects as all of those funds have been exhausted. In addition, after 2019, there would be no available funds for transportation projects and drainage projects does have available funding. Assistant City Manager Atkinson discussed the selling of bonds and limitations.

### **3. ADJOURN**

The special City Council meeting adjourned at 6:33 p.m.

*ATTEST:*

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Allen Owen, Mayor

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Maria Jackson, City Secretary

**ALLEN OWEN**  
Mayor

**JERRY WYATT**  
Councilmember at Large Position 1

**CHRIS PRESTON**  
Councilmember at Large Position 2



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Councilmember District A  
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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, January 2, 2018**, at the City Hall, Council Chamber, 2<sup>nd</sup> Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **7:00 p.m.** to consider the following:

### **1. ROLL CALL**

Mayor Owen called the meeting to order at 7:00 p.m.

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

**2. The PLEDGE OF ALLEGIANCE** was by Fire Chief Campbell.

### **3. PRESENTATIONS AND RECOGNITIONS**

Councilmember Emery moved to take agenda item 3c out of order. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Mayor Owen and Golf Course Manager Stittleburg recognized Noel Andrew Pinnock and Cameron Carter Hunt, City Center at Quail Valley Golf Course employees, for their brave actions on July 22, 2017, in saving a young guest from falling from a balcony. Mayor Owen administered the oath of office to certain members of the City of Missouri City's Tax Increment Reinvestment Zone boards. Media Specialist III Stottlemeyer recognized Mac Collins as the "MVP of the Year" for the Municipal Volunteer Program. Mayor Pro Term Ford recognized Brandee Mills for being named Miss Harris County. Police Chief Berezin and David Rider, Police Chief from the Fort Bend Independent School District Police Department, recognized the department for receiving the Texas Police Chiefs Association award.

### **4. PUBLIC COMMENTS**

**Valerie Tolman**, 4002 Alexis Tate Circle, discussed the animal shelter budget and shelter personnel needs.

**Davis Tolman**, 4002 Alexis Tate Circle, yielded time to Valerie Tolman.

**Valerie Tolman**, 4002 Alexis Tate Circle, discussed emails distributed to City Council members and animal shelter needs.

**Lynn Morgan**, 4510 Oak Vista Drive, discussed animal shelter needs and requested Council's support.

**Brenda Clark**, 3418 La Costa Road, discussed the animal shelter hours.

**Katie Meeks**, 3107 Cherry Creek Drive, discussed the animal shelter prescription medications.

## 5. STAFF REPORTS

Assistant City Manager Atkinson announced the following upcoming City events: the Dad & Daughter Dance on February 3, the Visitor Center Ribbon Cutting on February 9, and the Black History Month Celebration events on February 10. Atkinson also stated residents would be receiving a City newsletter in the mail. He noted City Hall would be closed on Monday, January 16, in observance of Martin Luther King, Jr. Day. He added that as citizens recover from Hurricane Harvey, the City trash enforcement was delayed to start on February 1. Mayor Owen asked if the Animal Shelter would be open at 10 a.m., 1 p.m., and 3 p.m. Assistant City Manager Elmer noted those were the start times for the volunteers to come in as animal control officers and/or street personnel would be in the field.

## 6. CONSENT AGENDA

- (a) Consider approving the minutes of the special and regular City Council meetings of December 18, 2017.

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

## 7. PUBLIC HEARINGS AND RELATED ACTIONS

### (a) Zoning Public Hearings and Ordinances

- (1) Public hearing to receive comments for or against a request to rezone a tract of land from R-4, patio-cluster residential district, to PD planned development district to allow for the development of a multifamily residential community for independent senior adults; providing for an amendment to the Comprehensive Plan; and consider a related ordinance on the first of two readings. The subject site is located north of the Knanaya Homes residential subdivision, south of Scanlin Road, and west of Staffordshire Road, the Hunters Green and Quail Green West residential subdivisions.

Councilmember Boney moved to open the public hearing at 7:42 p.m. Councilmember Wyatt seconded. **MOTION PASSED UNANIMOUSLY.**

Planning Manager Gomez presented on the request and stated the Planning and Zoning Commission forward a positive recommendation. Councilmember Wyatt asked if the multistory would be on the county side of the property. Gomez stated the property was fully within the City, and the multistory was backing up to the county and the recommendation was to allow for taller buildings. Gomez stated the Planning and Zoning Commission recommend a minimum of 1.4 of parking spaces. Councilmember Emery asked if the standards were close to those of the Huntington. Gomez stated they were created to be similar to the Huntington for 1.4 spaces. Councilmember Boney inquired who would be managing this property and the green space. Joseph Manakalathil, President of Vrindavan Resorts LLC and the applicant, stated they were working to provide a premium senior living for purchase at an affordable price. Mayor Pro Tem Ford asked if there was a time limit for 55 and up age limit and if there was a tax credit. Manakalathil stated they were not claiming any tax credit at this point. Gomez stated the planned development was tied to the 55 and up age demographic. Mayor Owen stated parking garages should be used for vehicles and not storage and requested this be added to their HOA deed restrictions. Mayor Pro Tem Ford inquired if there were any improvements planned for Staffordshire. Assistant City Manager Elmer stated such improvements were part of the Independent Phase I project which includes Staffordshire. Gomez stated they would add a revised site plan for the second reading.

Councilmember Maroulis moved to close the public hearing at 7:54 p.m. Councilmember Boney. **MOTION PASSED UNANIMOUSLY.**

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

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

**9. AUTHORIZATIONS**

- (a) Consider approving a parkland dedication proposal for the Hilson Knight Road Estate.

Director of Development Services Spriggs stated the Parks Board and the Planning and Zoning Commission both forward a positive recommendation.

Mayor Pro Tem Ford moved to approve the parkland dedication proposal for the Hilson Knight Road Estate. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider ratifying the appointment of Councilmember Chris Preston as the Public Sector Representative for the Fort Bend Regional Council.

Agenda item 9b was pulled.

There were no **ORDINANCES**.

**11. RESOLUTIONS**

- (a) Consider a resolution approving the submission of a grant application to the Houston Urban Area Security Initiative to fund the purchase of site licensing and software for enhancements to the City of Missouri City radio communications system.

Radio System Manager Pahl discussed the software enhancements to the radio communications system.

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

**12. CITY COUNCIL ANNOUNCEMENTS**

Councilmember Chris Preston wished everyone a happy New Year and recognized the parents of the community for their investments in their children. Councilmember Wyatt wished everyone a happy New Year. Councilmember Emery gave his best wishes to Noel Pinnock and his son. Mayor Pro Tem Ford wished everyone a happy New Year. Councilmember Maroulis wished everyone a happy New Year and congratulated the Police Department. Councilmember Boney acknowledged the Police Department and wished everyone a happy New Year. Mayor Owen stated he attended the Ultra 55-hour Snowdrop Foundation race held at Buffalo Run Park and recognized the Boy Scout in the audience.

**13. ADJOURN**

The regular City Council meeting adjourned at 8:03 p.m.

*ATTEST:*

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Allen Owen, Mayor

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Maria Jackson, City Secretary



**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 6(b) Vrindavan Resorts active, independent senior community - PD, Planned Development District  
**Submitted by:** Jennifer Thomas Gomez, AICP, Planning Manager

**SYNOPSIS**

This is the second and final reading of an ordinance to rezone a tract of land from R-4, patio-cluster residential district to PD, Planned Development District to allow for the development of a multifamily residential community for active, independent senior adults.

The subject site is located north of the Knanaya Homes residential subdivision, south of Scanlin Road, and west of Staffordshire Road, the Hunters Green and Quail Green West residential subdivisions.

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

- Have quality development through buildout

**BACKGROUND**

Vrindavan Resorts is a proposed active senior living community to consist of approximately 20 buildings and providing between 160 and 164 dwelling units. The community is proposed to consist of three building types containing attached garages. The community would include several common areas for residents. Green space would be provided along the frontage of Staffordshire Road, in areas designated for outdoor activity to include a pickleball court/badminton court; yoga garden; pond and open space.

Staff recommended approval and the Planning and Zoning Commission forwards a positive recommendation for the proposed age-restricted use (restricted to persons aged 55+ years) and the application of the MF-2, multifamily residential regulations. In addition, the applicant has requested deviations on the following items:

Request	Staff Recommendation	P&Z Recommendation
Section 7A.2.D.2: The transition in height of the buildings from the perimeter of the property to the interior.	To approve.	To approve.
Section 7A.D.7: To allow for the use of shingle roofing material for all residential buildings.	To approve.	To approve.
Section 11.4.D: To allow for a reduced transitional buffer yard along the northern perimeter of the development	To approve, provided that such buffer yard consist of a minimum 8-foot tall masonry wall with associated landscaping.	To approve as staff recommended.

Section 12.2: To allow for a reduction to the minimum parking spaces required. Proposed is 1.3 parking spaces per dwelling unit. (See Parking deviation request)	To allow for a reduction to a minimum of 1.4 spaces per dwelling unit.	To approve as staff recommended.
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**BUDGET/FISCAL ANALYSIS**

Funding Source	Account Number	Project Code/Name	FY__ Funds Budgeted	FY__ Funds Available	Amount Requested
None.					

**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. Ortho map
3. Site pictures
4. Exterior building elevations
5. Notice of public hearing

**STAFF'S RECOMMENDATION**

Staff recommends approval of the first reading of the ordinance.

**Director Approval:** Otis Spriggs, AICP, Development Services

**Assistant City Manager/  
City Manager Approval:** Scott Elmer, Assistant City Manager

**ORDINANCE NO. O-18-\_\_**

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 13.68 ACRES OF LAND FROM R-4 PATIO-CLUSTER RESIDENTIAL DISTRICT TO PD PLANNED DEVELOPMENT DISTRICT NO. 105; DESCRIBING SAID 13.68 ACRES OF LAND; REGULATING AND RESTRICTING THE DEVELOPMENT AND USE OF PROPERTY WITHIN SUCH PD PLANNED DEVELOPMENT DISTRICT; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MISSOURI CITY; PROVIDING FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

\* \* \* \* \*

WHEREAS, Vrindavan Resorts LLC is the owner of approximately 13.68 acres of land within the corporate limits of the City of Missouri City, Texas (the "Property"); and

WHEREAS, the Property presently has a zoning classification of R-4 Patio-Cluster Residential District under Ordinance No. O-95-45, adopted on November 20, 1995; and

WHEREAS, the owner's agent, Jils M. Skariah of Trimcos, LLC has made application to the City of Missouri City to change the zoning classification of the Property from R-4 Patio Cluster Residential District to PD Planned Development District; and

WHEREAS, pursuant to Section 8.2 of the City of Missouri City Zoning Ordinance, said application was submitted to the City of Missouri City with proof of unified ownership or control of all of the Property; and

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

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

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

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

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

Section 3. The zoning classification of the Property is hereby changed from R-4 patio cluster residential district to PD Planned Development District No. 105. The Property is more fully described in the legal description in Exhibit “A,” attached hereto and made a part hereof for all purposes, and is depicted in Exhibit “A-1,” attached hereto and made a part hereof for all purposes. Exhibit “A-1” shall be for reference purposes only. In the event that Exhibit “A-1” conflicts with Exhibit “A,” Exhibit “A” shall prevail.

Section 4. The PD Planned Development District shall be developed in accordance with the Missouri City Code, including the City of Missouri City Zoning Ordinance, specifically all regulations that apply to MF-2 multifamily residential districts, and is subject to the following regulations and restrictions:

- A. Purpose.** The PD Planned Development District may include a multifamily residential facility restricted to residents of at least 55 years of age. Improvements to the site shall be designed to enhance the overall urban design and nature of the surrounding area.
- B. Site Plan.** The planned development district shall be developed generally in accordance with the site plan, Exhibit “B,” attached hereto and made a part hereof for all purposes.
- C. Use regulations.** In the planned development district, no building, structure, or land shall be used and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance.

The following use shall be allowed:

- 1. MF-2 multifamily residential district uses restricted to residents of at least 55 years of age.
- D. Use district regulations.** Except as set forth in Subsections 4.E to 4.G of this Ordinance, MF-2 multifamily residential district regulations contained in Subsection 7.9, MF-2 multifamily residential district, of the City of Missouri City Zoning Ordinance shall apply.
- E. Architectural standards.** Except as set forth herein, all buildings and structures constructed in the planned development district shall be constructed in accordance with Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance.
  - 1. Dwelling-unit buildings are not required to transition in height from lower to higher from the perimeter to the interior of the development. The taller buildings in the development may be located along the perimeter of the development. Buildings with up to three-story dwelling units may be located around the perimeter of the development.
  - 2. Roofing materials may consist of composition shingles, provided that the specifications for such shingles are provided to and approved by the

City's Development Services Department and, further, provided that a warranty of at least 30 years is provided for such shingles.

**F. Landscaping regulations.** Except as set forth herein, the landscaping regulations contained in Section 11, Landscaping, of the City of Missouri City Zoning Ordinance shall apply.

1. A buffer yard of less than 10 feet is allowed along the northern property line of the Property, provided that such buffer yard shall consist of a masonry wall a minimum of eight feet in height and either one canopy tree per 30 linear feet of buffer yard or an opaque, live, vegetative screening, provided that such screening is maintained in accordance with Subsection 11.4.D of Section 11 of the City of Missouri City Zoning Ordinance.

**G. Parking regulations.** Except as set forth herein, the parking regulations contained in Section 12, Parking Regulations, of the City of Missouri City Zoning Ordinance shall apply.

1. A minimum of 1.4 parking spaces are required for each dwelling unit.

**H. Development schedule.** This Ordinance shall expire on the fifth anniversary of the date the first permit application was filed for this project, provided no progress has been made toward the completion of this project.

Section 5. The Zoning District Map of the City of Missouri City shall be revised and amended to show the zoning classification of said approximately 13.68-acre tract of land with the appropriate references thereon to the number and effective date of this Ordinance and a brief description of the nature of these changes.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Missouri City, save and except the changes in zoning classification described in Section 3 hereof and the imposition of the findings, regulations, restrictions and conditions contained herein.

Section 7. *Comprehensive plan deviation.* To the extent this Ordinance represents any deviation from the Future Land Use and Character map of the City of Missouri City Comprehensive Plan, such map is hereby amended to conform with this Ordinance.

Section 8. *Repeal.* Ordinance Number O-95-45, adopted by the City Council of the City of Missouri City on November 20, 1995, is hereby repealed only to the extent of conflict with this Ordinance. Any ordinance or any other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 9. *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 10. 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 \_\_\_\_ day of \_\_\_\_\_, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

METES AND BOUNDS DESCRIPTION OF 13.6766 ACRES

A TRACT OR PARCEL OF LAND CONTAINING 13.6766 ACRES SAVE AND EXCEPT 0.2662 ACRE TRACT BEING OUT OF AND A PART OF A 52.5 ACRE TRACT CONVEYED TO THOMPSON FAMILY FARM, LTD., RECORDED IN CLERK'S FILE NO. 200414711 OF THE FORT BEND COUNTY DEED RECORDS IN THE WILLIAM T. NEAL SURVEY, ABSTRACT 64 IN FORT BEND COUNTY, TEXAS, SAID 13.6766 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO-WIT:

BEGINNING at an "X" mark set in concrete marking the Northeast corner of Lot 57, Block 1 of Knanaya Homes Subdivision recorded in Clerk's File No. 20050203 of the Fort Bend County Deed Records, the Southeast corner of the herein described 13.6766 acre tract in the Southwest right-of-way line of Staffordshire Road (60 ft. right-of-way);

THENCE South 78 degrees 16 minutes 10 seconds West with the South boundary of the herein described tract and the North boundary of Block 1 of said Knanaya Homes Subdivision a distance of 1252.99 ft. to a point (3/8 inch iron rod set with cap at 0.50 ft. for reference) at the Southwest corner of the herein described tract, the Northwest corner of Lot 35 being in the East boundary of a 100 ft. drainage easement;

THENCE North 02 degrees 31 minutes 08 seconds West with the East boundary of said 100 ft. drainage easement a distance of 568.02 ft. to a 3/8 inch iron rod set with cap at a point on said line and the PC of curve to the left;

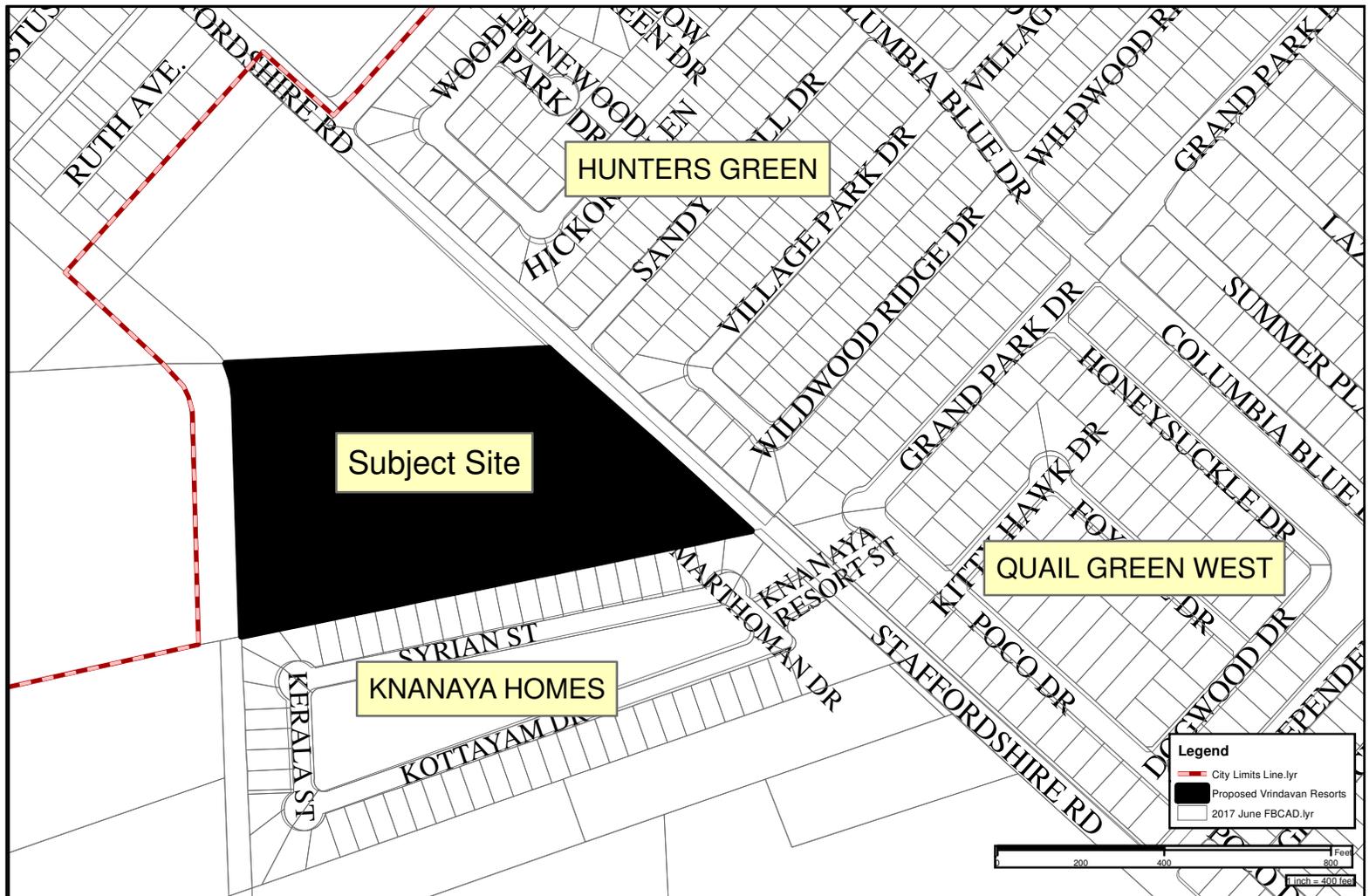
THENCE with the Easterly boundary of said drainage easement and with said curve to the left having a radius of 249.70 ft., an arc length of 89.54 ft., a central angle of 20 degrees 32 minutes 44 seconds and a long chord bears North 17 degrees 36 minutes 08 seconds West a distance of 89.06 ft. to a 5/8 inch iron rod found at the Northwest corner of the herein described tract and the Southwest corner of a 7.786 acre tract conveyed to Thomas Oliyam Kunnel and Jessie K. Mani recorded in Clerk's File No. 2014121680 of the Fort Bend County Deed Records;

THENCE North 87 degrees 11 minutes 13 seconds East with the South boundary of said 7.786 acre tract passing a 1 inch iron pipe found at the Northeast corner of the herein described tract, the Southeast corner of said 7.786 acre tract in the Southwesterly right-of-way line of said Staffordshire Road at 801.08 ft. a total distance of 826.39 ft. to a point at the Northeast corner of the herein described tract;

THENCE South 47 degrees 36 minutes 24 seconds East with the Southwest right-of-way line of said Staffordshire Road a distance of 643.20 ft. to a point at the Southeast corner of the herein described tract;

THENCE South 78 degrees 16 minutes 10 seconds West a distance of 22.16 ft. to the PLACE OF BEGINNING and containing 13.6766 acres of land.





# VRINDAVAN RESORTS ACTIVE SENIOR LIVING COMMUNITY

1950 STAFFORDSHIRE RD | Missouri City, TX 77489

**BUILDING TYPE A**

4 (1,400 SF) UNITS/ BLDG 28

**Building Type B**

4 (1,500 SF) UNITS/ BLDG 36

**Building Type C**

4 (1,500 SF) UNITS/ BLDG 16

20 (1,250 SF) UNITS/ BUILDING 80

**TOTAL UNITS 160**

COMMON AREA  
(MAIL ROOM/ TV LOUNGE)

ELEVATOR TOWER/ ATRIUM



KNANAYA HOMES SUBDIVISION



**SITE PLAN**  
SCALE: 1" = 40'-0"

STAFFORD MUNICIPAL SCHOOL DISTRICT

HUNTERS GREEN

Subject Site

QUAIL GREEN WEST

KNANAYA HOMES

StaMo Park

Independence Park

**Legend**

- City Limits Line.lyr
- Proposed Vrindavan Resorts
- 2017 June FBCAD.lyr



# Planned Development District Current Conditions – Site Pictures

## Vrindavan Resorts (active senior living community)

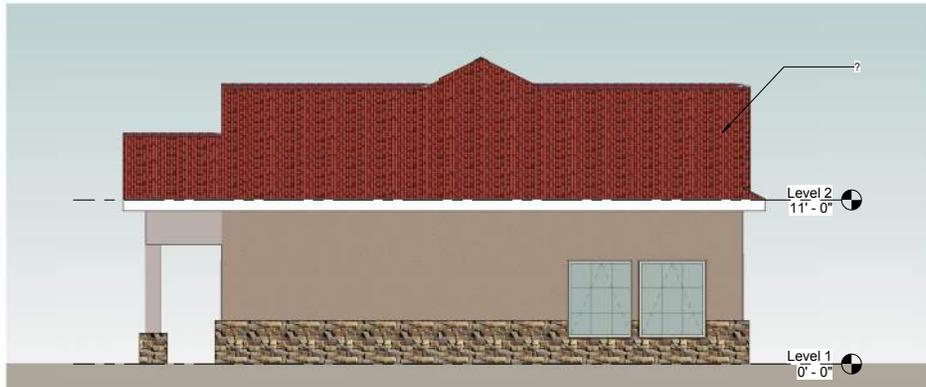




① FRONT ELEVATION  
1/8" = 1'-0"



② REAR ELEVATION  
1/8" = 1'-0"



③ SIDE ELEVATION  
3/16" = 1'-0"

**VRINDAVAN RESORTS**  
**BUILDING TYPE A**  
 7 Buildings (4 units/ bldg)



**VRINDAVAN RESORTS  
BUILDING TYPE B  
9 Buildings (4 units/ bldg)**



① Front/ Back  
1/8" = 1'-0"



② Left/ Right Elevation  
1/8" = 1'-0"



1 Front Elevation  
1/8" = 1'-0"



2 Rear Elevation  
1/8" = 1'-0"



3 Left Side Elevation  
1/8" = 1'-0"

**VRINDAVAN RESORTS**  
**BUILDING TYPE C**  
 4 Buildings (24 units/ bldg)

## NOTICE OF PUBLIC HEARING

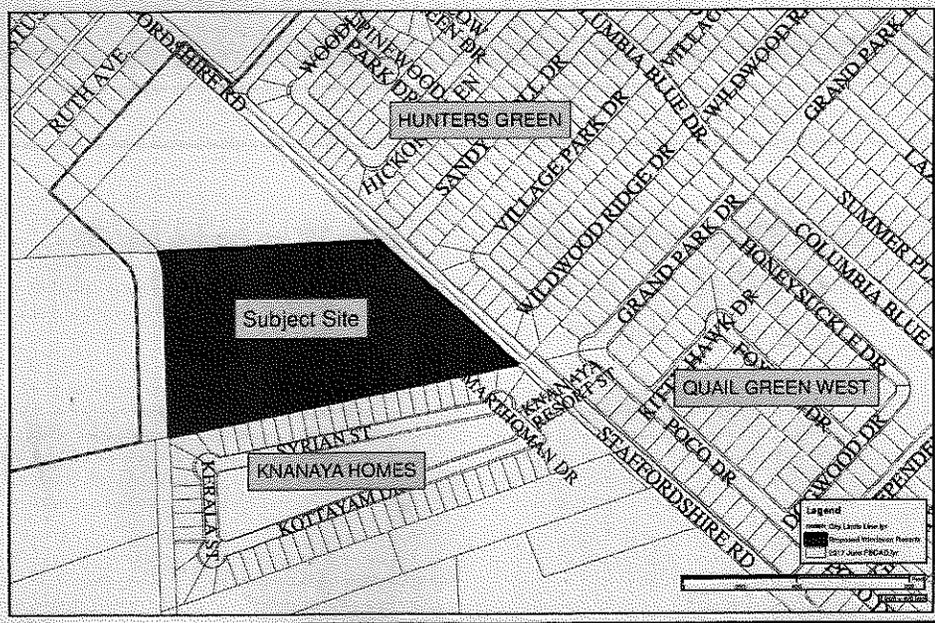
**LOCATION/DATE:** The City Council of the City of Missouri City will hold a public hearing on Tuesday, January 2, 2018, at the City Council Chambers – 2<sup>nd</sup> Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

**PURPOSE:** To receive comments for or against a request by Jils Skariah, Trimcos to rezone a tract of land from R-4, patio-cluster residential district to PD, Planned Development District to allow for the development of a multifamily residential community for active, independent senior adults; and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

**SITE LOCATION:** The subject site is located north of the Knanaya Homes residential subdivision, south of Scanlin Road, and west of Staffordshire Road, the Hunters Green and Quail Green West residential subdivisions.

**SITE LEGAL DESCRIPTION:** The subject site can be described as being an approximate 13.6766 acre tract of land, save an except 0.2662 acre tract being out of and part of a 52.5 acre tract conveyed to Thompson Family Farm, Ltd, recorded in clerk's file no. 200414711 of the Fort Bend County Deed Records in the William T. Neal Survey, A-64 in 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](mailto:planning@missouricitytx.gov) for further information.





**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 6(c) Review and acceptance of the Quarterly Investment Report for the Quarter Ended on December 31, 2017  
**Submitted by:** Finance and Services Committee,  
Wanja Thomas, Financial Analyst

**SYNOPSIS**

The city's investment policy states that a quarterly investment report shall be submitted and reviewed by the Finance and Services Committee. The report is a summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. The quarterly reports are to be presented to Council for review and acceptance.

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

- Maintain a financially sound City

**BACKGROUND**

The Quarterly Investment Report for the quarter ending on December 31, 2017.

A few items to note about the December 2017 report is that the portfolio ended the quarter with a yield of 1.57% as compared to the prior quarter yield of 1.61%. The ending portfolio market balance is over \$77.7 million as compared to the last quarter's balance of over \$76.8 million. This increase in balance is due to payments of property tax receipts for fiscal year 2018.

**BUDGET/FISCAL ANALYSIS**

Investment activities are expected to yield an amount of interest equal to our projected amount.

**Purchasing Review:** N/A  
**Financial/Budget Review:** Edena J. Atmore, CPA, CGFO, CPM

*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. Quarterly Investment Report for quarter ended on December 31, 2017.

**STAFF'S RECOMMENDATION**

Staff recommends city council accept the Quarterly Investment Reports for the quarter ending December 31, 2017.

**Director Approval:** Edena J. Atmore, CPA, CGFO, CPM

**Assistant City Manager/  
City Manager Approval:** Anthony J. Snipes, City Manager



## QUARTERLY INVESTMENT REPORT

**For the Quarter Ended  
December 31, 2017**

**Prepared by  
Valley View Consulting, L.L.C.**

The investment portfolio of Missouri City is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

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Edena Atmore  
Financial Services Director

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LaToya Jasper  
Assistant Director of Financial Services

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Bill Atkinson  
Assistant City Manager

**Disclaimer:** These reports were compiled using information provided by the City. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment advisor fees.

## Summary

### Quarter End Results by Investment Category:

Asset Type	Ave. Yield	December 31, 2017		September 30, 2017	
		Book Value	Market Value	Book Value	Market Value
Demand Accounts	0.01%	\$ 12,325,428	\$ 12,325,428	\$ 7,165,389	\$ 7,165,389
Pools/MMA/NOW	1.39%	34,908,833	34,908,833	42,285,916	42,285,916
Securities/CDS	2.41%	30,341,536	30,479,102	27,186,189	27,426,944
<b>Totals</b>		<b>\$ 77,575,797</b>	<b>\$ 77,713,363</b>	<b>\$ 76,637,494</b>	<b>\$ 76,878,249</b>

#### Quarter End Average Yield (1)

Total Portfolio 1.57%

Rolling Three Mo. Treas. Yield 1.23%

Rolling Six Mo. Treas. Yield 1.26%

#### Fiscal Year-to-Date Average Yield (2)

Total Portfolio 1.59%

Rolling Three Mo. Treas. Yield 1.14%

Rolling Six Mo. Treas. Yield 1.17%

Quarterly TexPool Yield 1.10%

Quarterly Interest Income \$ 314,598 Approximate

Year-to-date Interest Income \$ 635,603 Approximate

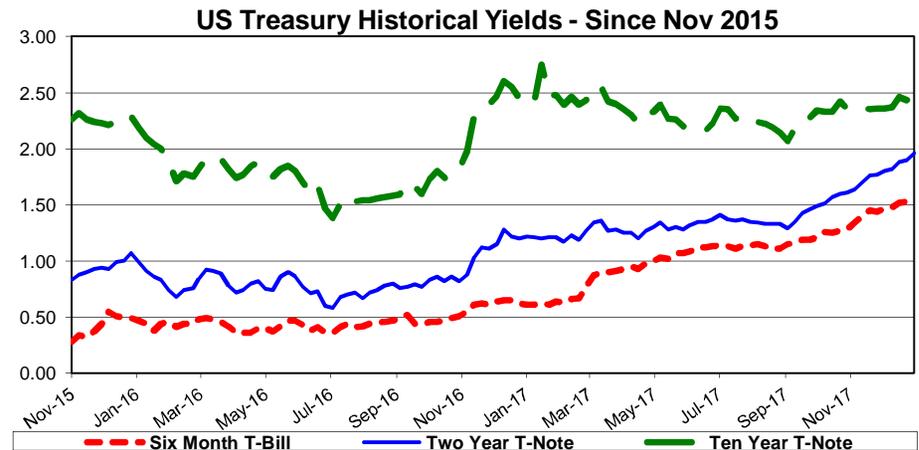
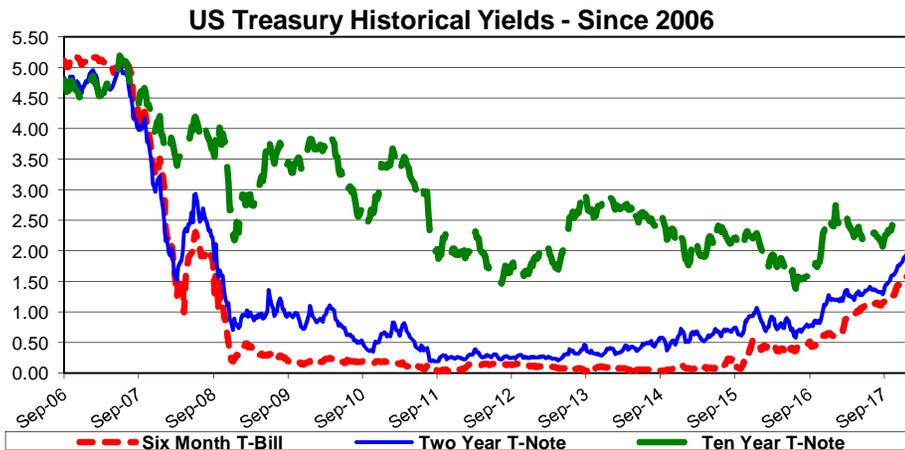
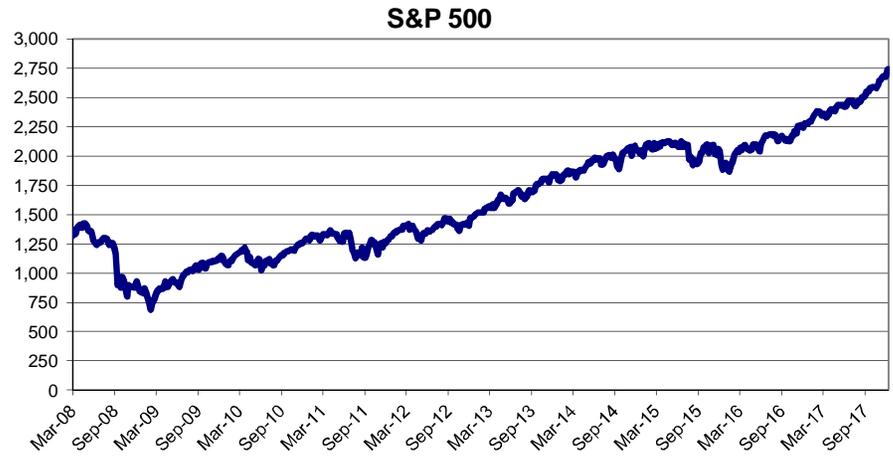
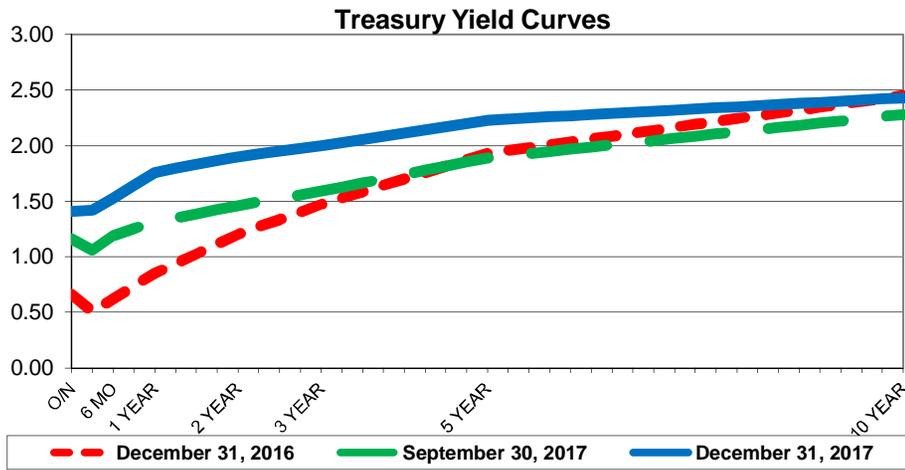
Quarterly Bank Fees Offset N/A

Year-to-date Bank Fees Offset N/A

(1) Average Yield calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

(2) Fiscal Year-to-Date Average Yields calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

The Federal Open Market Committee (FOMC) increased the Fed Funds target range to 1.25% - 1.50% (Effective Fed Funds are trading +/-1.41%) at the Dec FOMC meeting. Two to three additional increases are projected for 2018 (although subject to economic activity). Gradual portfolio reduction continues by limiting reinvestment of maturing holdings. Third Quarter 2017 GDP measured 3.2%. December Non Farm Payroll data recorded a weaker than expected +148k. US economic data continues positive trend. Washington passed an extensive tax cut. Crude oil trading +/- \$60 on Middle Eastern turmoil. The Stock Markets once again achieved new highs. Jerome Powell will replace Fed Chair Janet Yellen.



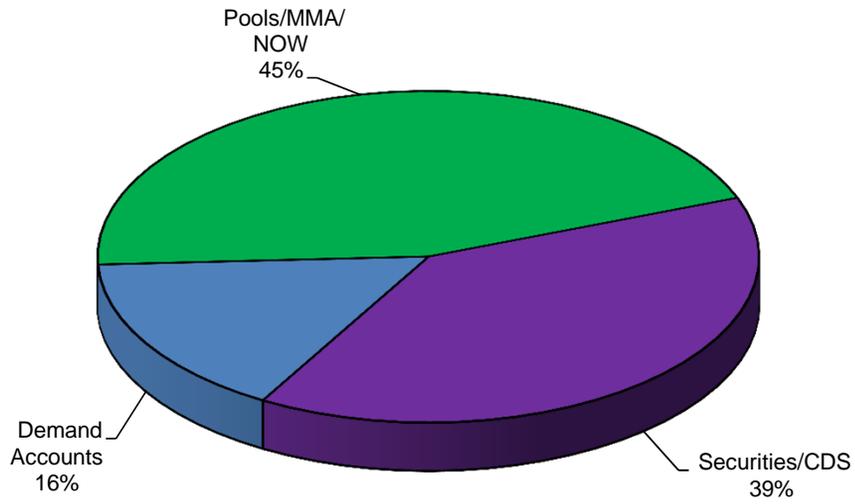
**Investment Holdings by Portfolio**  
**December 31, 2017**

<b>Pooled Funds Portfolio</b>	<b>Ratings</b>	<b>Coupon/ Discount</b>	<b>Maturity Date</b>	<b>Settlement Date</b>	<b>Face Amount/ Par Value</b>	<b>Book Value</b>	<b>Market Price</b>	<b>Market Value</b>	<b>Life</b>	<b>Yield</b>
Amegy Bank Cash		0.05%	01/01/18	12/31/17	\$ 2,307,780	\$ 2,307,780	1.00	\$ 2,307,780	1	0.05%
Wells Fargo Bank Cash		0.00%	01/01/18	12/31/17	10,017,648	10,017,648	1.00	10,017,648	1	0.00%
Texas Class	AAAm	1.41%	01/01/18	12/31/17	16,576,528	16,576,528	1.00	16,576,528	1	1.41%
TexPool	AAAm	1.18%	01/01/18	12/31/17	200,877	200,877	1.00	200,877	1	1.18%
LOGIC	AAAm	1.38%	01/01/18	12/31/17	18,131,428	18,131,428	1.00	18,131,428	1	1.38%
Commonwealth Auth. PA Muni	A1/A+	5.05%	06/01/18	04/24/15	1,000,000	1,015,274	101.16	1,011,590	152	1.30%
Commonwealth Auth. PA Muni	A1/A+	5.05%	06/01/18	04/20/15	500,000	507,638	101.16	505,795	152	1.30%
FL Hurr. Catastrophe Muni	Aa3/AA	2.11%	07/01/18	01/21/15	2,500,000	2,505,687	100.04	2,500,875	182	1.64%
Lubbock National Bank CD		1.50%	12/03/18	10/03/17	5,012,542	5,012,542	100.00	5,012,542	337	1.50%
Peoria SD Muni	AA	5.25%	01/01/19	05/12/15	500,000	516,879	102.69	513,425	366	1.75%
TX ST Pub Fin Auth Muni	AA+	2.00%	02/01/19	09/29/17	480,000	482,303	100.02	480,091	397	1.55%
Columbus Fin TX Muni	AA-	4.90%	02/15/19	05/04/15	1,360,000	1,403,967	102.67	1,396,271	411	1.90%
Texas State Muni	Aa2/AA	2.04%	03/15/19	03/18/15	900,000	903,523	99.91	899,145	439	1.70%
LegacyTexas Bank CD		1.65%	06/03/19	08/14/17	6,033,159	6,033,159	100.00	6,033,159	519	1.65%
WV HSG Muni	Aaa/AAA	3.22%	11/01/19	08/17/15	1,000,000	1,025,973	101.29	1,012,890	670	1.75%
Cleveland Tax Revenue Muni	A1/AA+	2.30%	10/01/20	04/09/15	1,610,000	1,610,000	98.76	1,590,100	1,005	2.30%
Port of Corpus Christi Muni	A1/A+	2.61%	12/01/20	05/27/15	635,000	640,041	100.49	638,112	1,066	2.32%
<b>Pooled Funds Portfolio - Sub Total</b>					<b>\$ 68,764,962</b>	<b>\$ 68,891,247</b>		<b>\$ 68,828,256</b>	<b>144</b>	<b>1.24%</b>
									<b>Days</b>	
<b>Mortgage Portfolio</b>										
FNMA MBS 4X6	Aaa/AA+	6.00%	12/01/20	09/20/10	57,442	58,618	102.66	58,969	1,066	5.10%
FHLMC MBS G92	Aaa/AA+	6.00%	06/01/22	10/18/10	1,497,268	1,559,872	105.60	1,581,051	1,613	4.77%
GNMA MBS MY1	Aaa/AA+	6.00%	07/15/22	04/16/09	583,956	597,462	104.50	610,236	1,657	5.29%
FNMA MBS JR7	Aaa/AA+	3.00%	08/01/22	06/18/13	1,162,736	1,193,416	101.91	1,184,938	1,674	2.36%
GNMA MBS CC2	Aaa/AA+	2.50%	05/20/27	01/24/13	1,441,531	1,441,531	98.53	1,420,401	3,427	2.18%
FNMA MBS MT7	Aaa/AA+	6.00%	06/01/36	06/13/11	546,752	584,313	113.26	619,237	6,727	5.33%
FNMA MBS SS5	Aaa/AA+	6.00%	12/01/36	06/13/11	1,177,450	1,282,403	113.11	1,331,757	6,910	5.15%
FNMA MBS GP3	Aaa/AA+	6.00%	03/01/37	06/13/11	1,432,816	1,560,962	113.24	1,622,485	7,000	5.14%
FHLMC MBS WA4	Aaa/AA+	6.00%	02/01/38	06/13/11	405,974	405,974	112.33	456,034	7,337	5.19%
<b>Mortgage Portfolio - Sub Total</b>					<b>\$ 8,305,925</b>	<b>\$ 8,684,550</b>		<b>\$ 8,885,107</b>	<b>12</b>	<b>4.23%</b>
									<b>Years</b>	
<b>Total Portfolio</b>					<b>\$ 77,070,887</b>	<b>\$ 77,575,797</b>		<b>\$ 77,713,363</b>	<b>607</b>	<b>1.57%</b>
									<b>1.7</b>	
									<b>(Years)</b>	
									<b>(1)</b>	<b>(2)</b>

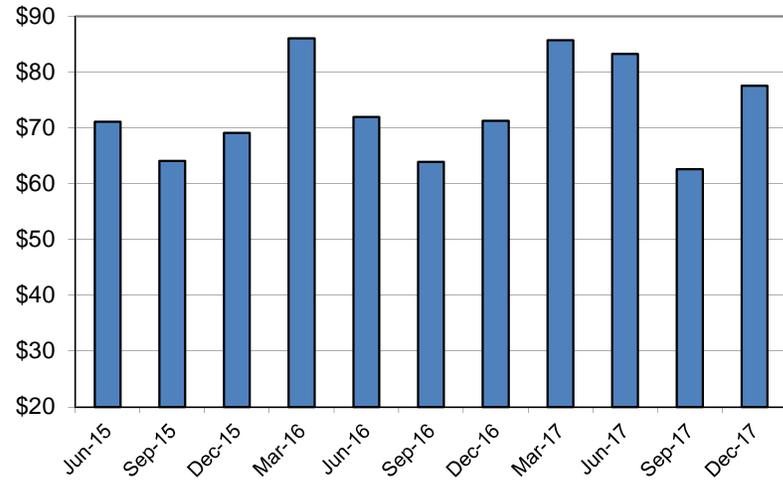
(1) **Weighted average life** - For purposes of calculating weighted average life, bank accounts, pools and money market funds are assumed to have an one day maturity. MBS securities adjusted for minimum anticipated principal amortization.

(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank accounts, pools, and money market funds.

### Portfolio Composition

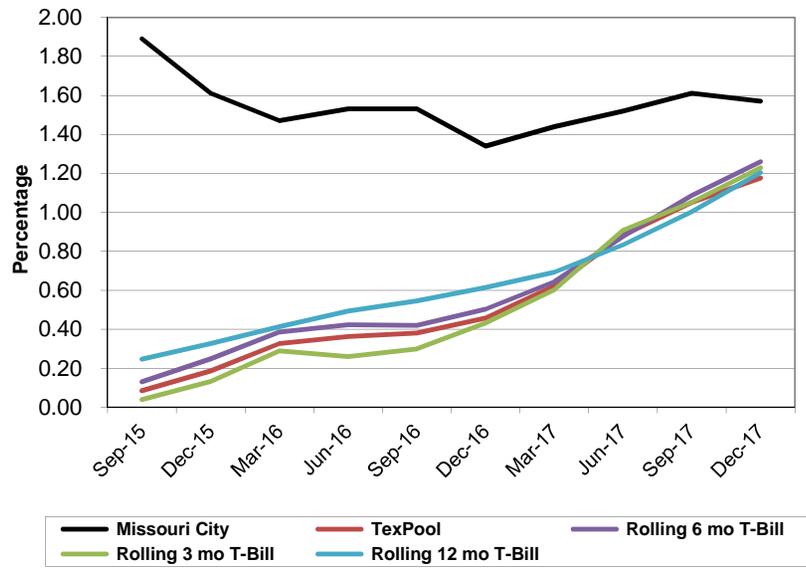


### Total Portfolio (Millions)



■ Quarter End Book Value

### Total Portfolio Performance



## Book Value Comparison

Description	Coupon/ Discount	Maturity Date	September 30, 2017				December 31, 2017			
			Face Amount/ Par Value		Book Value	Purchases/ Adjustments	Sales/Adjust/ Call/Maturity	Face Amount/ Par Value		Book Value
Amegy Bank Cash	0.05%	01/01/18	\$ 7,165,389	\$ 7,165,389	\$ -	\$ (4,857,609)	\$ 2,307,780	\$ 2,307,780		
Wells Fargo Bank Cash	0.00%	01/01/18	-	-	10,017,648		10,017,648	10,017,648		
Texas Class	1.41%	01/01/18	16,521,346	16,521,346	55,182		16,576,528	16,576,528		
TexPool	1.18%	01/01/18	200,328	200,328	549		200,877	200,877		
LOGIC	1.38%	01/01/18	25,564,241	25,564,241		(7,432,813)	18,131,428	18,131,428		
TX ST Pub Fin Auth Muni	1.36%	12/01/17	1,250,000	1,250,491		(1,250,491)	-	-		
Commonwealth Auth. PA Muni	5.05%	06/01/18	1,000,000	1,024,541		(9,266)	1,000,000	1,015,274		
Commonwealth Auth. PA Muni	5.05%	06/01/18	500,000	512,271		(4,634)	500,000	507,638		
FL Hurr. Catastrophe Muni	2.11%	07/01/18	2,500,000	2,508,562		(2,875)	2,500,000	2,505,687		
Lubbock National Bank CD	1.50%	12/03/18	-	-	5,012,542		5,012,542	5,012,542		
Peoria SD Muni	5.25%	01/01/19	500,000	521,146		(4,267)	500,000	516,879		
TX ST Pub Fin Auth Muni	2.00%	02/01/19	480,000	482,840		(537)	480,000	482,303		
Columbus Fin TX Muni	4.90%	02/15/19	1,360,000	1,413,871		(9,904)	1,360,000	1,403,967		
Texas State Muni	2.04%	03/15/19	900,000	904,261		(739)	900,000	903,523		
LegacyTexas Bank CD	1.65%	06/03/19	6,008,408	6,008,408	24,751		6,033,159	6,033,159		
WV HSG Muni	3.22%	11/01/19	1,000,000	1,029,554		(3,581)	1,000,000	1,025,973		
Cleveland Tax Revenue Muni	2.30%	10/01/20	1,610,000	1,610,000			1,610,000	1,610,000		
FNMA MBS 4X6	6.00%	12/01/20	71,157	72,740		(14,122)	57,442	58,618		
Port of Corpus Christi Muni	2.61%	12/01/20	635,000	640,478		(437)	635,000	640,041		
FHLMC MBS G92	6.00%	06/01/22	1,623,191	1,694,944		(135,072)	1,497,268	1,559,872		
GNMA MBS MY1	6.00%	07/15/22	670,762	687,139		(89,677)	583,956	597,462		
FNMA MBS JR7	3.00%	08/01/22	1,245,977	1,280,667		(87,251)	1,162,736	1,193,416		
GNMA MBS CC2	2.50%	05/20/27	1,479,928	1,479,928		(38,397)	1,441,531	1,441,531		
FNMA MBS MT7	6.00%	06/01/36	578,063	618,320		(34,007)	546,752	584,313		
FNMA MBS SS5	6.00%	12/01/36	1,248,475	1,361,247		(78,843)	1,177,450	1,282,403		
FNMA MBS GP3	6.00%	03/01/37	1,522,689	1,660,669		(99,706)	1,432,816	1,560,962		
FHLMC MBS WA4	6.00%	02/01/38	424,112	424,112		(18,138)	405,974	405,974		
<b>TOTAL</b>			<b>\$ 76,059,068</b>	<b>\$ 76,637,494</b>	<b>\$ 15,110,672</b>	<b>\$ (14,172,368)</b>	<b>\$ 77,070,887</b>	<b>\$ 77,575,797</b>		

## Market Value Comparison

Description	Coupon/ Discount	Maturity Date	September 30, 2017		Qtr to Qtr Change	December 31, 2017	
			Face Amount/ Par Value	Market Value		Face Amount/ Par Value	Market Value
Amegy Bank Cash	0.05%	01/01/18	\$ 7,165,389	\$ 7,165,389	\$ (4,857,609)	\$ 2,307,780	\$ 2,307,780
Wells Fargo Bank Cash	0.00%	01/01/18	–	–	10,017,648	10,017,648	10,017,648
Texas Class	1.41%	01/01/18	16,521,346	16,521,346	55,182	16,576,528	16,576,528
TexPool	1.18%	01/01/18	200,328	200,328	549	200,877	200,877
LOGIC	1.38%	01/01/18	25,564,241	25,564,241	(7,432,813)	18,131,428	18,131,428
TX ST Pub Fin Auth Muni	1.36%	12/01/17	1,250,000	1,249,725	(1,249,725)	–	–
Commonwealth Auth. PA Muni	5.05%	06/01/18	1,000,000	1,019,960	(8,370)	1,000,000	1,011,590
Commonwealth Auth. PA Muni	5.05%	06/01/18	500,000	509,980	(4,185)	500,000	505,795
FL Hurr. Catastrophe Muni	2.11%	07/01/18	2,500,000	2,505,400	(4,525)	2,500,000	2,500,875
Lubbock National Bank CD	1.50%	12/03/18	–	–	5,012,542	5,012,542	5,012,542
Peoria SD Muni	5.25%	01/01/19	500,000	519,030	(5,605)	500,000	513,425
TX ST Pub Fin Auth Muni	2.00%	02/01/19	480,000	482,078	(1,987)	480,000	480,091
Columbus Fin TX Muni	4.90%	02/15/19	1,360,000	1,411,068	(14,797)	1,360,000	1,396,271
Texas State Muni	2.04%	03/15/19	900,000	903,663	(4,518)	900,000	899,145
LegacyTexas Bank CD	1.65%	06/03/19	6,008,408	6,008,408	24,751	6,033,159	6,033,159
WV HSG Muni	3.22%	11/01/19	1,000,000	1,021,760	(8,870)	1,000,000	1,012,890
Cleveland Tax Revenue Muni	2.30%	10/01/20	1,610,000	1,602,369	(12,268)	1,610,000	1,590,100
FNMA MBS 4X6	6.00%	12/01/20	71,157	73,564	(14,595)	57,442	58,969
Port of Corpus Christi Muni	2.61%	12/01/20	635,000	641,877	(3,766)	635,000	638,112
FHLMC MBS G92	6.00%	06/01/22	1,623,191	1,728,089	(147,038)	1,497,268	1,581,051
GNMA MBS MY1	6.00%	07/15/22	670,762	708,398	(98,162)	583,956	610,236
FNMA MBS JR7	3.00%	08/01/22	1,245,977	1,281,050	(96,112)	1,162,736	1,184,938
GNMA MBS CC2	2.50%	05/20/27	1,479,928	1,470,641	(50,240)	1,441,531	1,420,401
FNMA MBS MT7	6.00%	06/01/36	578,063	658,163	(38,926)	546,752	619,237
FNMA MBS SS5	6.00%	12/01/36	1,248,475	1,418,217	(86,460)	1,177,450	1,331,757
FNMA MBS GP3	6.00%	03/01/37	1,522,689	1,734,838	(112,354)	1,432,816	1,622,485
FHLMC MBS WA4	6.00%	02/01/38	424,112	478,666	(22,632)	405,974	456,034
<b>TOTAL</b>			<b>\$ 76,059,068</b>	<b>\$ 76,878,249</b>	<b>\$ 835,114</b>	<b>\$ 77,070,887</b>	<b>\$ 77,713,363</b>



**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

**February 5, 2018**

**To:** Mayor and City Council  
**Agenda Item:** 7(a)(1) PD #11 Amendment - Serenity Falls Adult Day Care Center  
**Submitted by:** Jennifer Thomas Gomez, AICP, Planning Manager

**SYNOPSIS**

This is the first of two readings of an ordinance to amend the rules and regulations of PD, Planned Development District #11 to allow for the location of an adult day care center.

PD #11 is located north and east of the intersection of Lake Olympia Parkway and State Highway 6 and includes a Public Storage facility (6725 Highway 6); a State Farm Insurance business (6705 Highway 6); a shopping center (6701 Highway 6); and a vacant fast food restaurant building (6855 Highway 6). The proposed adult day care center would be located within a lease space within the shopping center.

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

- Grow business investments in Missouri City
- Have quality development through buildout

**BACKGROUND**

PD #11 was originally established to allow for the development of commercial/retail uses which would be designed to reflect and compliment a residential character. This application is a request to locate an adult day care center within the shopping center within the PD. The applicant has entered into a five-year lease. The lease space is approximately 1,880 square feet.

Staff recommended approval for the location of an adult day care center provided that all activities related to the business are conducted inside of the lease space. The Planning and Zoning Commission considered this recommendation and discussed whether the outdoor recreation area was required by the State of Texas. The Commission forwards a positive recommendation which includes that all State and City requirements for the facility are met.

A first reading of the ordinance and a public hearing were scheduled for August 7, 2017. The first reading was postponed, at the applicant's request during the meeting, to allow them time to discuss alternative options for the outdoor recreation area (outdoor sitting area). Between that time and now, the applicant has worked with the shopping center property manager, the City's Planning Division and the Fire Marshal's office to consider options for the placement of the outdoor area to the rear of the building, the rear of the lease space.

**BUDGET/FISCAL ANALYSIS**

Funding Source	Account Number	Project Code/Name	FY2018 Funds Budgeted	FY2018 Funds Available	Amount Requested
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None.

**Purchasing Review:** N/A

**Financial/Budget Review:** N/A

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

### SUPPORTING MATERIALS

1. Ordinance
2. Changes marked
3. Ordinance O-16-14
4. Planning and Zoning Commission meeting minutes (July 12, 2017)
5. Planning and Zoning Commission final report
6. Application
7. Owner authorization
8. Company overview
9. Ortho map
10. Site pictures
11. Site plan showing area where outdoor recreation area may be located behind the building
12. Notice of public hearing
13. Notice of public hearing to adjoining property owners
14. Mailing labels for adjoining property owners
15. Rezoning application protest letters analysis

### STAFF'S RECOMMENDATION

Staff recommends approval of the first reading of the ordinance.

**Director Approval:** Otis Spriggs, AICP, Development Services

**Assistant City Manager/  
City Manager Approval:** Scott Elmer, Assistant City Manager

**ORDINANCE NO. O-18-\_\_**

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING REGULATIONS IN PD PLANNED DEVELOPMENT DISTRICT NO. 11; REGULATING AND RESTRICTING THE DEVELOPMENT AND USE OF PROPERTY WITHIN SUCH PD PLANNED DEVELOPMENT DISTRICT; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MISSOURI CITY; PROVIDING FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

\* \* \* \* \*

WHEREAS, CCP/Shurgard Venture, LLC, is the owner of approximately 3.99 acres of land; Happy Hoa Chuong, LLC, is the owner of approximately 1.11 acres of land; Houston Riata Properties, LLC, is the owner of approximately 0.85 acres of land; and Robert F. and Susan R. Shaffer are the owners of approximately 0.46 acres of land, for a total of approximately 6.40 acres of land within the corporate limits of the City of Missouri City, Texas (the "Property"); and

WHEREAS, said Property presently has a zoning classification of PD Planned Development District No. 11 under Ordinance No. O-16-14, adopted on April 18, 2016; and

WHEREAS, Deshun Stanley, agent of Happy Hoa Chung, LLC, has made application to the City of Missouri City to amend PD Planned Development District No. 11, as applied only to the 1.11-acre tract of land owned by Happy Hoa Chung, LLC; and

WHEREAS, pursuant to Section 8.3 of the City of Missouri City Zoning Ordinance, said application was submitted to the City of Missouri City with proof of notice to all of the other property owners within PD Planned Development District No. 11; 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 requested amendment; and

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

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

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

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

Section 3. Presently, the Property has a zoning classification of PD Planned Development District No. 11. The Property can be described as being all 6.40 acres described in the Final Plat of Park Place, a subdivision recorded under Fort Bend County Clerk's instrument number 1176588 and Slide 1776B of the Plat Records of Fort Bend County, Texas, and is depicted in Exhibit "A," attached hereto and made a part hereof for all purposes. Exhibit "A," shall be for reference purposes only. In the event that Exhibit "A," conflicts with the recorded plat, the recorded plat shall prevail.

Section 4. PD Planned Development District No. 11 shall be developed in accordance with the Missouri City Code, including the City of Missouri City Zoning Ordinance, and shall be developed generally in accordance with the site plan, Exhibit "B," attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

**A. Purpose.** PD Planned Development District No. 11 is designed to accommodate a private storage facility with a sales office, an unmanned wireless telecommunications facility, a tower, a child-care center, an adult day care center, and other LC-2 local retail district uses not inconsistent with the requirements of this Ordinance. The development will be designed to blend with the overall residential tone and nature of the surrounding area.

**B. Use Regulations.** In PD Planned Development District No. 11, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance.

The following uses shall be allowed:

1. Private storage buildings for storage use only at the locations designated as Buildings A, B, C, D, E, F, G, J and K in Exhibit "B," site plan (the "Private Storage Buildings").
2. A private storage sales office at the location designated as "Office" in Exhibit "B" (the "Office").
3. A tower adjacent to the Office.

4. LC-2 local retail district uses on the tracts designated as “Insurance Office” and “Former Restaurant” in Exhibit “B.”
5. An unmanned wireless telecommunications facility located between the locations designated as Buildings J and K in Exhibit “B.”
6. A drop-in child care center on the location designated as “Leased Premises” in Exhibit “C,” Lake Olympia Shopping Center, attached hereto and made a part hereof for all purposes.
7. An adult day care center (also known as a “day activity and health services facility,” as that term is defined in Chapter 103 of the Texas Human Resources Code, as amended) on the location designated as “Leased Premises” in Exhibit “D,” Lake Olympia Shopping Center, attached hereto and made a part hereof for all purposes.

**C. Height and Area Regulations.** Except as set forth herein, all buildings and structures shall meet the height and area regulations for LC-2 local retail district contained in Subsection 7.11 of the City of Missouri City Zoning Ordinance.

1. The self-supporting monopole structure (flagpole) located on the unmanned wireless telecommunications facility shall not exceed 105 feet in height.

**D. Building Regulations.**

**1. Architectural Standards.** Except as set forth herein, the architectural regulations contained in Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance shall apply.

- a. **Existing Buildings.** All Private Storage Buildings and all buildings on the tract designated as “Former Restaurant” in Exhibit “B” shall be constructed with the elevation, colors, style, and materials described and depicted on Exhibit “B.” The Private Storage Buildings shall be constructed with brick and concrete and flat standing seam metal roofs as depicted on Exhibit “B.” Metal doors shall be permitted on the Private Storage Buildings provided they match the color of the roof of the buildings. All buildings on the tract designated as “Former Restaurant” in Exhibit “B” shall be constructed with brick and part gable part hip and shed standing seam metal roof as depicted on the Exhibit “B.” No mansard roofs are allowed on such buildings.

- b. Television Satellite Dish.** The television satellite dish shall either be removed from the building located on the tract designated as “Insurance Office” in Exhibit “B” or located to the rear of the building located on such tract and screened from public view of adjoining properties with landscaping.
- 2. Lighting.** Lighting shall comply with the regulations of LC-2 local retail district contained in Section 7.11.D.2 of the Missouri City Zoning Ordinance.
- 3. Floor area.** The total floor area of all of the combined private storage areas shall be the total floor area of all of the combined private storage areas existing as of the date on which this Ordinance is adopted, as documented by the development services department at the final adoption of this Ordinance.
- 4. Air Conditioning, Ventilation, and Mechanical Equipment.** For all buildings, mechanical equipment shall be screened from public view by landscaping or by materials similar to that of the principal building within each tract located within the planned development district.
- 5. Unmanned Telecommunications Facility.** All transformers, wall mounted mechanical equipment, ground mounted mechanical equipment, service and utility boxes, air conditioning units, bollards, and any other architectural elements or transmitting/receiving equipment located within or adjacent to the fenced equipment compound shall be completely screened on all sides as further required in Subsection 15C.2.A(1)(f) of the City of Missouri City Zoning Ordinance.

**E. Sanitation.**

- 1. Trash disposal.** Trash disposal and service areas shall be screened from public view by landscaping or masonry enclosures constructed of material similar to that of the principal building within each tract of the planned development district.
- 2. Dumpsters.** Dumpsters shall be located either to the rear or side of buildings and shall be screened by a masonry enclosure, a minimum of eight (8) feet in height, and consisting of brick matching the building.

**F. Landscaping, Screening and Transitional Buffer Yards.** The requirements of Section 11, Landscaping, of the City of Missouri City

Zoning Ordinance shall apply, including required screening of driveways and parking areas.

- G. Ingress and Egress.** Except as set forth herein, all driveways shall be constructed and developed in accordance with the Missouri City Code, including the Public Infrastructure Design Manual.
- 1. Access.** Vehicular access shall be limited to two (2) driveways on State Highway 6. One driveway shall serve as the main entrance to the private storage facility and the second driveway will serve as the main entrance to the rest of the planned development district. A third gated driveway from the private storage facility onto the driveway designated as "School Road" in Exhibit "B" shall be used only as a fire truck exit gate.
  - 2. Cross Access.** The developer shall maintain a twenty-five (25) foot wide concrete driveway in front of the Office to provide cross access to adjacent sites within the planned development district.
- H. Parking Regulations.** The requirements of Section 12, Parking Regulations, of the City of Missouri City Zoning Ordinance shall apply.
- I. Sign Regulations.** Except as set forth herein, the sign regulations existing on the date on which Ordinance No. O-07-28 was adopted, May 21, 2007, shall apply.
- 1. Size of flag.** The total square footage of the flag attached to the self-supporting monopole structure located on the unmanned wireless telecommunications facility shall not exceed 760 square feet.
- J. Fence Regulations.** Except as set forth herein, the fence regulations for LC-2 local retail districts contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance shall apply.
- 1. Unmanned Telecommunications Facility.** A chain link fence with vinyl slats shall be installed around the equipment and the self-supporting monopole structure on the east, south, and west sides in order to completely screen the equipment and the self-supporting monopole structure. The chain link fence with vinyl slats shall be at least one (1) foot taller than the actual equipment itself and no taller than the existing masonry wall on the north side of the site. The vinyl slats must be a color that matches the adjacent buildings. One (1) foot of barbed wire fencing shall be allowed on top of the chain link fence.

- K. Tower Regulations.** The self-supporting monopole structure (flagpole) located on the unmanned wireless telecommunications facility shall comply with Section 15.B, Towers, of the City of Missouri City Zoning Ordinance except that it shall not exceed 105 feet in height. Such monopole structure shall at all times be used as a flagpole except when a flag is not flown in accordance with established rules of flag etiquette.
- L. Outdoor Placement.** There shall be no outside placement.
- M. Outside Storage.** Except as set forth herein, outside storage of materials, merchandise, or equipment is prohibited.
1. The outside storage requirements for LC-2 local retail districts contained in Subsection 9.17.B, Outside storage, of the City of Missouri City Zoning Ordinance shall apply to the tract designated as "Former Restaurant" in Exhibit "B."
- N. Outdoor Sales.** There shall be no outside sales.
- O. Hours of Operation and Access for the Office and Private Storage Facility.** The permissible hours of operation for the Office will be from 9:00 a.m. until 5:30 p.m. Monday through Friday, and from 8:00 a.m. until 4:00 p.m. Saturday. Customers of the private storage facility will have access to the facility through a locked security gate between the hours of 6:00 a.m. and 10:00 p.m. seven (7) days a week.
- P. General Security for the Private Storage Facility.** The following shall apply within the private storage facility:
1. All storage stalls, including vacant ones, shall be kept locked.
  2. A wrought iron security entrance gate shall be maintained.
  3. The security entrance gate from State Highway 6 shall be accessible via keypad system. The rear exit gate onto the driveway designated as "School Road" in Exhibit "B," shall be constructed of wrought iron material and shall be maintained to comply with the specifications required by the Missouri City Fire Department to allow emergency vehicular access.
- Q. Sidewalk.** All sidewalks shall comply with applicable provisions of the Missouri City Code, including the Public Infrastructure Design Manual.
- R. Sound.** Sound emanating from PD Planned Development District No. 11 shall comply with the Missouri City Code. Additionally, the amplification of sound to the outside of buildings shall be prohibited.

- S. Utilities.** The provision and construction of utilities shall comply with the Missouri City Code, including the Public Infrastructure Design Manual.
- T. Construction Activity.** Construction shall only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday.
- U. Development Schedule.** Pursuant to Section 8, PD Planned Development District, of the City of Missouri City Zoning Ordinance, the regulations pertaining to the 1.11-acre tract of land owned by Happy Hoa Chuong, LLC shall expire on the fifth anniversary of the date the planned development district amendment application was filed if no progress has been made towards the completion of this project.

Section 5. The Zoning District Map of the City of Missouri City shall be revised and amended to show the zoning classification of said 6.40-acre tract of land as provided in Section 3 hereof, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of these changes.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Missouri City, save and except the changes described in this Ordinance and the imposition of the findings, regulations, restrictions, and conditions contained herein.

Section 7. *Comprehensive plan deviation.* To the extent this Ordinance represents any deviation from the Future Land Use and Character map of the City of Missouri City Comprehensive Plan, such map is hereby amended to conform with this Ordinance.

Section 8. *Repeal.* Ordinance Number O-16-14, adopted by the City Council of the City of Missouri City on April 18, 2016, is hereby repealed. Any ordinance or any other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 9. *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 10. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

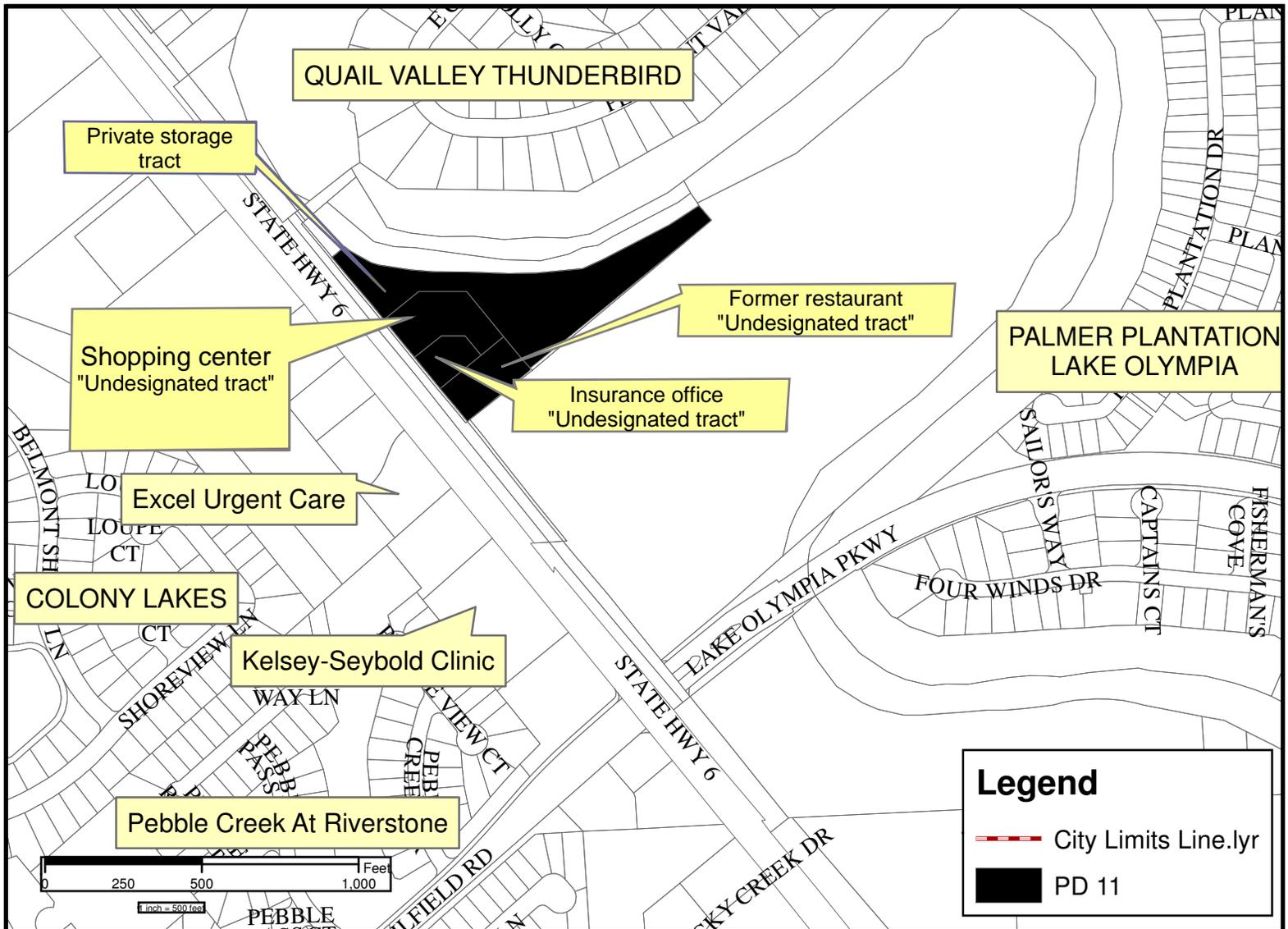
\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

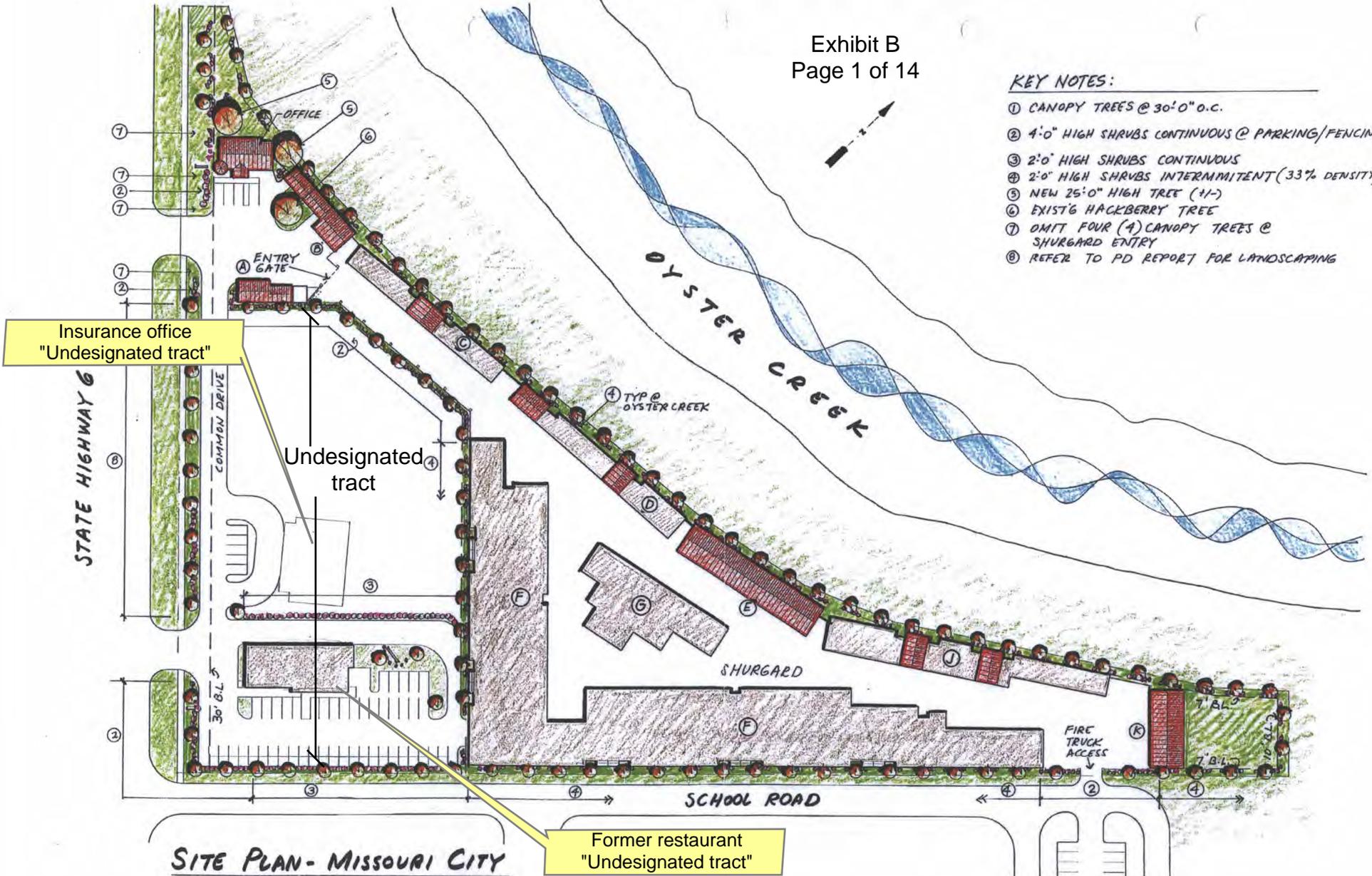
\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

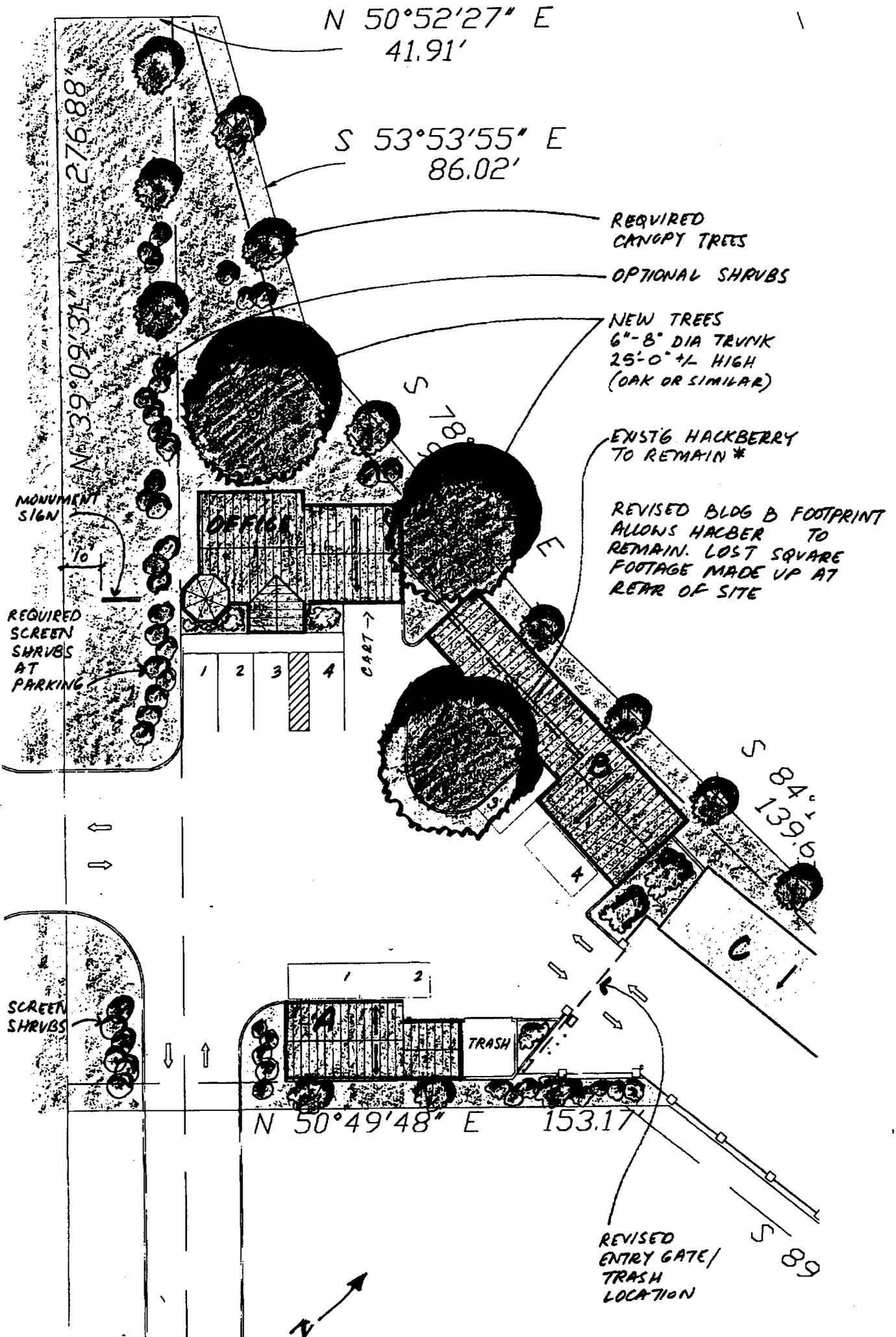


KEY NOTES:

- ① CANOPY TREES @ 30'-0" O.C.
- ② 4'-0" HIGH SHRUBS CONTINUOUS @ PARKING/FENCING
- ③ 2'-0" HIGH SHRUBS CONTINUOUS
- ④ 2'-0" HIGH SHRUBS INTERMITTENT (33% DENSITY)
- ⑤ NEW 25'-0" HIGH TREE (+/-)
- ⑥ EXIST'G HACKBERRY TREE
- ⑦ OMIT FOUR (4) CANOPY TREES @ SHURGARD ENTRY
- ⑧ REFER TO PD REPORT FOR LANDSCAPING



**SITE PLAN - MISSOURI CITY**  
5-14-98 B.R. N.T.S. SHURGARD

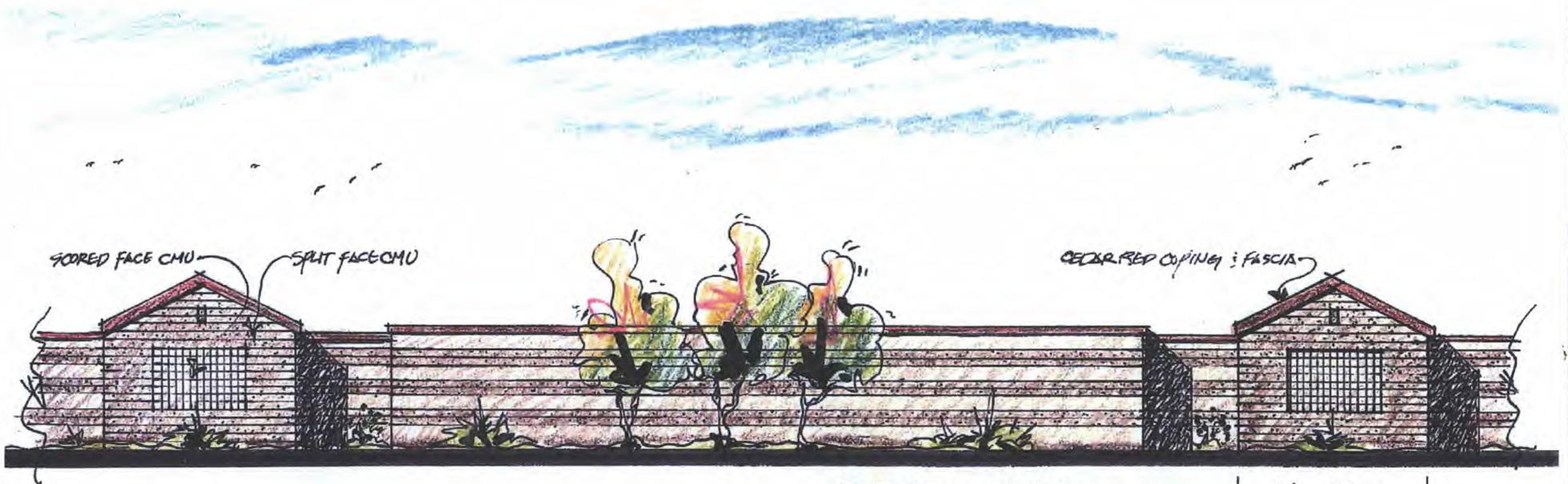


**SHURGARD - ENTRY LANDSCAPING.**

4-29-98  
1" = 30'

\* NOTE - SHOULD EXIST'G HACKBERRY BE DISEASED, IT WILL BE REPLACED WITH A NEW TREE, 6"-8" DIA TRUNK, 25'-0" +/- HIGH

158.9'



SCORED FACE CMU

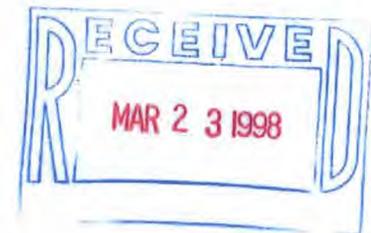
SPLIT FACE CMU

CEDR. RED COPING & FASCIA

(2) COURSES OF ALTERNATING  
SPLIT & SMOOTH FACE CMU - PAINTED TAN

(3) 20' TP.  
PAVILIONS

SCHOOL DISTRICT ROAD ELEVATION 1:10  
3-19-98 J.S. SHURGARD





SHURGARD/BURGER KING HIGHWAY 6  
3-31-98



BACK TO FRONT

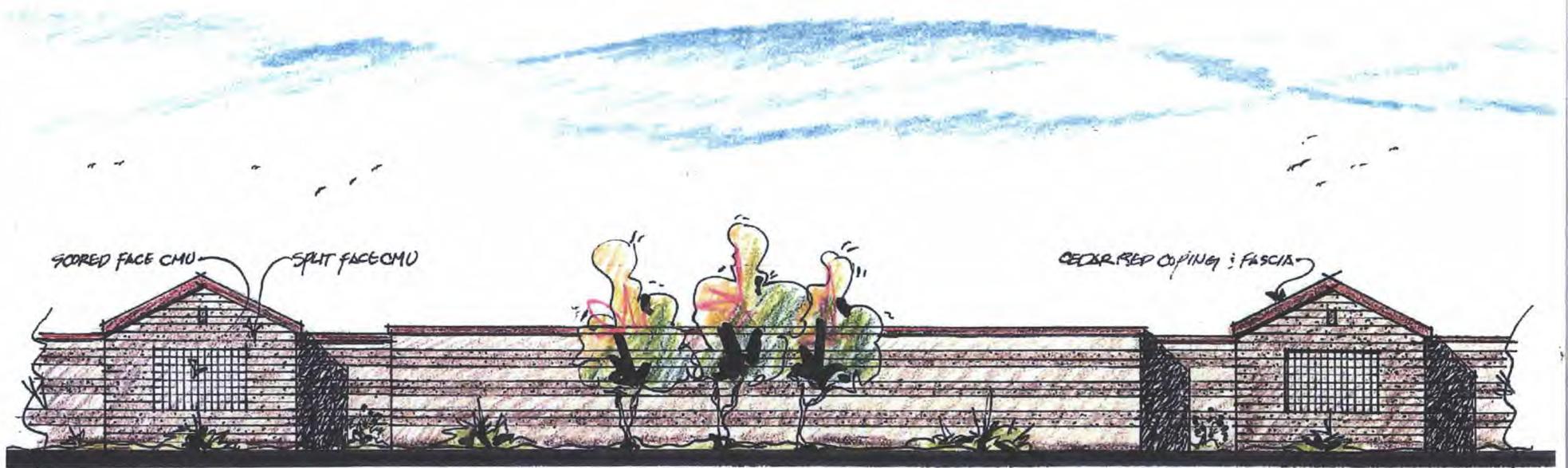
MONUMENT SIGN w/ BRICK BASE

SCORED FACE CMU

MISSOURI CITY · HIGHWAY 6 · ELEVATION 1:20  
3.30.98 JS. SHURGARD

SHURGARD

RECEIVED  
MAR 23 1998



SCORED FACE CMU

SPLIT FACE CMU

CEDR. RED COPING & FASCIA

(2) COURSES OF ALTERNATING  
SPLIT & SMOOTH FACE CMU - PAINTED TAN

(2) 20' TYP.  
PAVILIONS

SCHOOL DISTRICT ROAD ELEVATION 1:10  
3-19-98 J.S. SHURGARD

RECEIVED  
MAR 23 1998

# Section 9.3.A

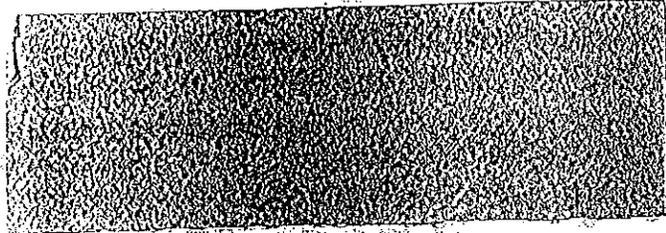
October 1994

Exhibit B  
Page 7 of 14

## Color Samples

### A. Exterior:

- 1. Shurgard Tan



- 2. Shurgard Red

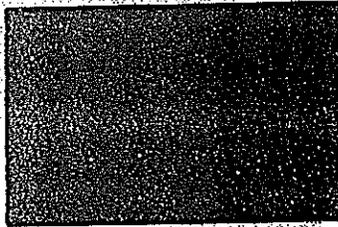


EXHIBIT "B"  
page 7 of 7









Photo of a Similar Installation at a Shurgard Storage in Houston

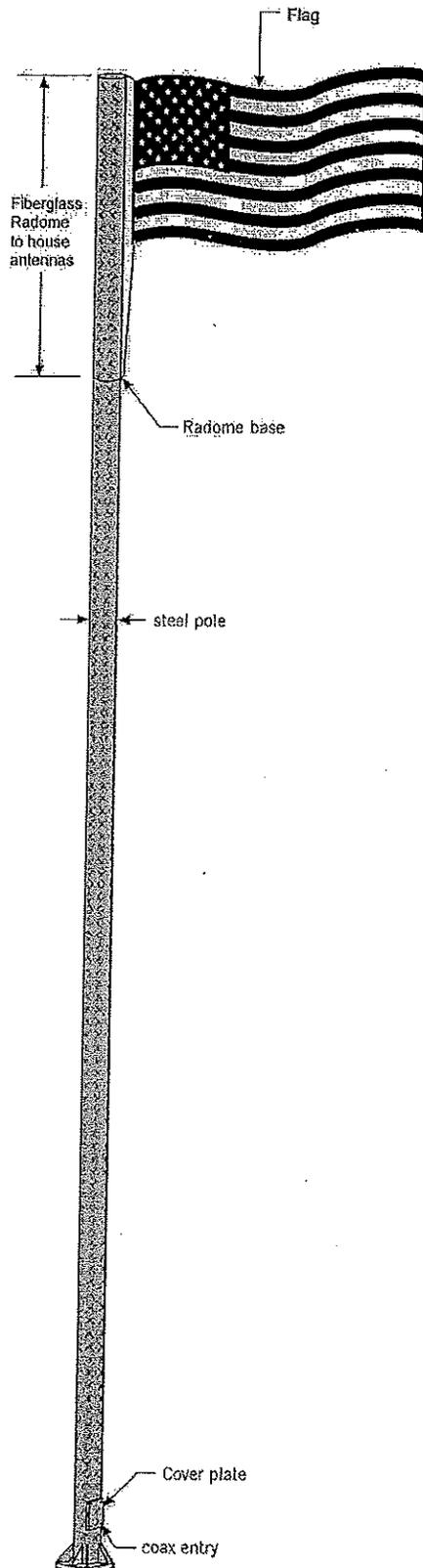


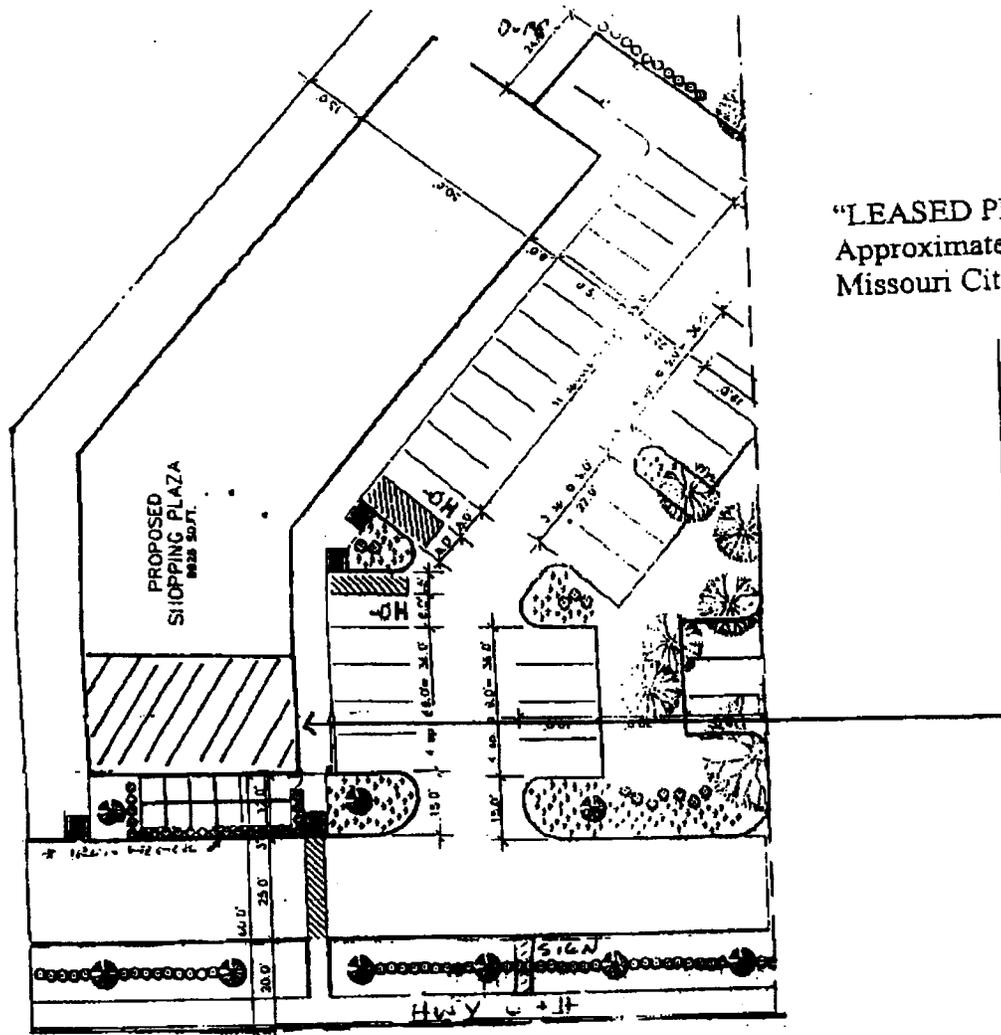
SEP 20 2004



Photo of a Similar Installation at a Shurgard Storage in Houston

# Flagpole Diagram





"LEASED PREMISES"  
Approximately 1,500 SF  
Missouri City, Texas

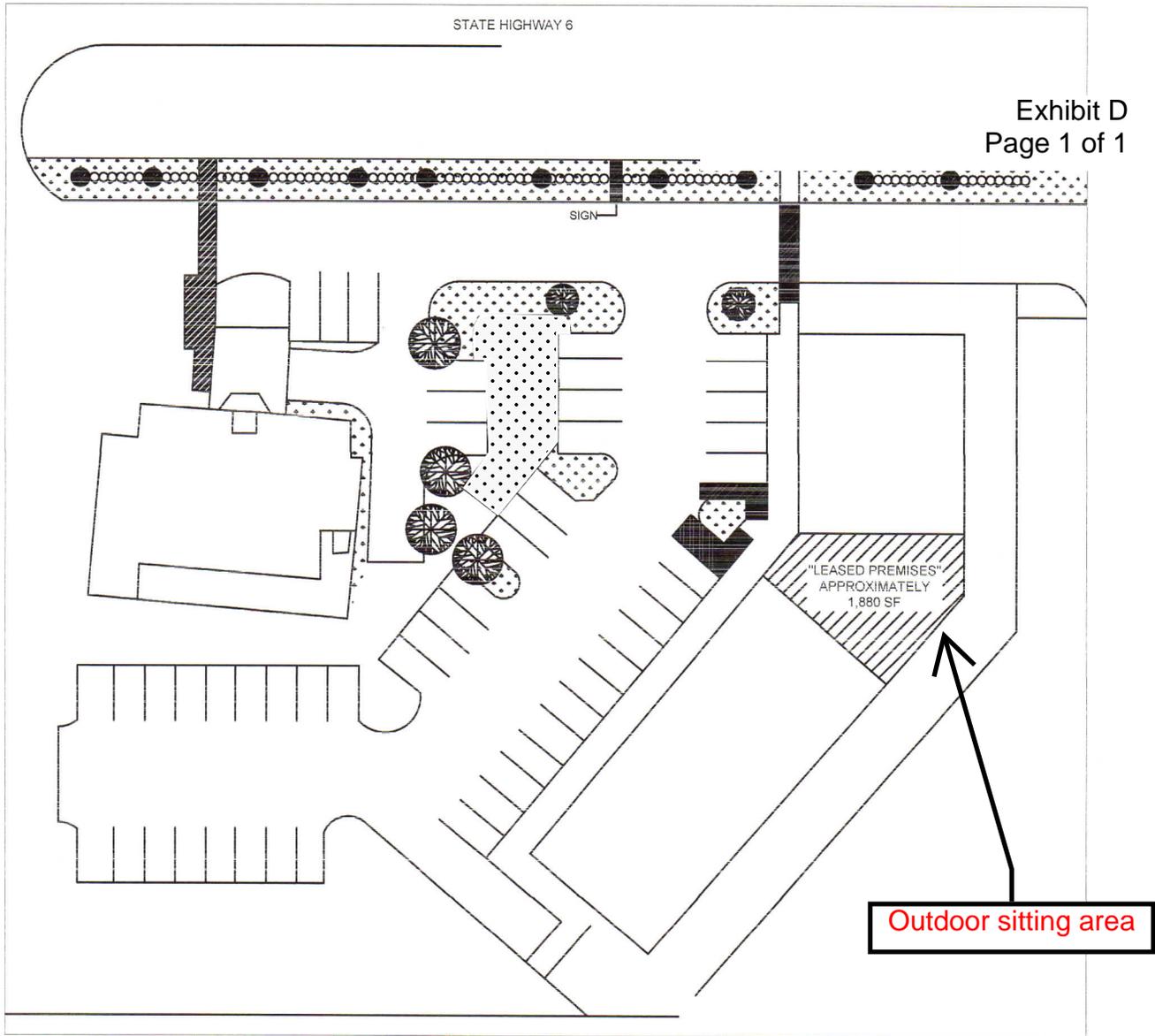
The "Leased Premises" as shown hereon is for DARWIN LABELLE  
Tenant shall be allowed limited "dine in" seating within the space and on the adjacent patio in accordance with the terms in Section 6.06 of the Lease.

Subject to the terms of the Lease, any future construction by the Landlord within the Shopping Center will not affect the validity of the lease covering the Leased Premises. Landlord may elect to change the location, size, layout, or other details of any buildings, or Common Area in the Shopping Center and/or to construct other buildings in the Shopping Center and such changes will not affect the validity of the Lease covering the Leased Premises.

**Lake Olympia Shopping Center**  
located on  
Lot 3B of a replat of Lot 3 of Park Place Subdivision

INITIAL+ VD  
DSB

Child's Play on B



DESHUN STANLEY

The "Leased Premises" as shown hereon is for SERENITY FALLS ADULT DAY CENTER  
Tenant shall be allowed access to the outdoor sitting area directly in front of the suite in accordance with the terms of the Lease.

Subject to the terms of the Lease, any future construction by the Landlord within the Shopping Center will not affect the validity of the lease covering the Leased Premises. Landlord may elect to change the location, size, layout, or other details of any buildings, or Common Area in the Shopping Center and/or to construct other buildings in the Shopping Center and such changes will not affect the validity of the Lease covering the Leased Premises.

PLAIR DESIGN  
 PH:281-299-9354  
 DRAW BY: MAURICE PLAIR  
 DATE : 05/18/2017  
 Disclaimer  
 The Site Plan is based on certain assumptions that may not match the original site plan. PLAIR DESIGN makes no representation as to the accuracy or reliability of the Site Plan generated by PLAIR DESIGN. Always compare the Site Plan with the original Site Plan for accuracy.

Lake Olympia Shopping Center  
located on  
Lot 3B of replat of Lot 3 of Park Place Subdivision

INITIAL: \_\_\_\_\_

\_\_\_\_\_

ORDINANCE NO. O-~~17~~18-\_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING REGULATIONS IN PD PLANNED DEVELOPMENT DISTRICT NO. 11; REGULATING AND RESTRICTING THE DEVELOPMENT AND USE OF PROPERTY WITHIN SUCH PD PLANNED DEVELOPMENT DISTRICT; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MISSOURI CITY; PROVIDING FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

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WHEREAS, pursuant to Section 8.3 of the City of Missouri City Zoning Ordinance, said application was submitted to the City of Missouri City with proof of notice to all of the other property owners within PD Planned Development District No. 11; 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 requested amendment; and

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

## CHANGES MARKED 2018.01.11

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

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

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

Section 3. Presently, the Property has a zoning classification of PD Planned Development District No. 11. The Property can be described as being all 6.40 acres described in the Final Plat of Park Place, a subdivision recorded under Fort Bend County Clerk's instrument number 1176588 and Slide 1776B of the Plat Records of Fort Bend County, Texas, and is depicted in Exhibit "A," attached hereto and made a part hereof for all purposes. Exhibit "A," shall be for reference purposes only. In the event that Exhibit "A," conflicts with the recorded plat, the recorded plat shall prevail.

Section 4. PD Planned Development District No. 11 shall be developed in accordance with the Missouri City Code, including the City of Missouri City Zoning Ordinance, and shall be developed generally in accordance with the site plan, Exhibit "B," attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

- A. Purpose.** PD Planned Development District No. 11 is designed to accommodate a private storage facility with a sales office, an unmanned wireless telecommunications facility, a tower, a child-care center, an adult day care center, and other LC-2 local retail district uses not inconsistent with the requirements of this Ordinance. The development will be designed to blend with the overall residential tone and nature of the surrounding area.
- B. Use Regulations.** In PD Planned Development District No. 11, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance.

The following uses shall be allowed:

1. Private storage buildings for storage use only at the locations designated as Buildings A, B, C, D, E, F, G, J and K in Exhibit "B," site plan (the "Private Storage Buildings").
2. A private storage sales office at the location designated as "Office" in Exhibit "B" (the "Office").
3. A tower adjacent to the Office.

## CHANGES MARKED 2018.01.11

4. LC-2 local retail district uses on the tracts designated as “Insurance Office” and “Former Restaurant” in Exhibit “B.”
5. An unmanned wireless telecommunications facility located between the locations designated as Buildings J and K in Exhibit “B.”
6. A drop-in child care center on the location designated as “Leased Premises” in Exhibit “C,” Lake Olympia Shopping Center, attached hereto and made a part hereof for all purposes.
7. An adult day care center (also known as a “day activity and health services facility,” as that term is defined in Chapter 103 of the Texas Human Resources Code, as amended) on the location designated as “Leased Premises” in Exhibit “D,” Lake Olympia Shopping Center, attached hereto and made a part hereof for all purposes.
- ~~8. An outdoor sitting area on the location designated as “Outdoor Relaxation and Sitting Area, in Exhibit “D,” provided that such area is required by the State of Texas for the issuance of a day activity and health services facility license.~~

**C. Height and Area Regulations.** Except as set forth herein, all buildings and structures shall meet the height and area regulations for LC-2 local retail district contained in Subsection 7.11 of the City of Missouri City Zoning Ordinance.

1. The self-supporting monopole structure (flagpole) located on the unmanned wireless telecommunications facility shall not exceed 105 feet in height.

**D. Building Regulations.**

1. **Architectural Standards.** Except as set forth herein, the architectural regulations contained in Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance shall apply.
  - a. **Existing Buildings.** All Private Storage Buildings and all buildings on the tract designated as “Former Restaurant” in Exhibit “B” shall be constructed with the elevation, colors, style, and materials described and depicted on Exhibit “B.” The Private Storage Buildings shall be constructed with brick and concrete and flat standing seam metal roofs as depicted on Exhibit “B.” Metal doors shall be permitted on the Private Storage Buildings provided they match the color of the roof

## CHANGES MARKED 2018.01.11

of the buildings. All buildings on the tract designated as "Former Restaurant" in Exhibit "B" shall be constructed with brick and part gable part hip and shed standing seam metal roof as depicted on the Exhibit "B." No mansard roofs are allowed on such buildings.

- b. Television Satellite Dish.** The television satellite dish shall either be removed from the building located on the tract designated as "Insurance Office" in Exhibit "B" or located to the rear of the building located on such tract and screened from public view of adjoining properties with landscaping.
- 2. Lighting.** Lighting shall comply with the regulations of LC-2 local retail district contained in Section 7.11.D.2 of the Missouri City Zoning Ordinance.
- 3. Floor area.** The total floor area of all of the combined private storage areas shall be the total floor area of all of the combined private storage areas existing as of the date on which this Ordinance is adopted, as documented by the development services department at the final adoption of this Ordinance.
- 4. Air Conditioning, Ventilation, and Mechanical Equipment.** For all buildings, mechanical equipment shall be screened from public view by landscaping or by materials similar to that of the principal building within each tract located within the planned development district.
- 5. Unmanned Telecommunications Facility.** All transformers, wall mounted mechanical equipment, ground mounted mechanical equipment, service and utility boxes, air conditioning units, bollards, and any other architectural elements or transmitting/receiving equipment located within or adjacent to the fenced equipment compound shall be completely screened on all sides as further required in Subsection 15C.2.A(1)(f) of the City of Missouri City Zoning Ordinance.

### **E. Sanitation.**

- 1. Trash disposal.** Trash disposal and service areas shall be screened from public view by landscaping or masonry enclosures constructed of material similar to that of the principal building within each tract of the planned development district.
- 2. Dumpsters.** Dumpsters shall be located either to the rear or side of buildings and shall be screened by a masonry enclosure, a

## CHANGES MARKED 2018.01.11

minimum of eight (8) feet in height, and consisting of brick matching the building.

- F. Landscaping, Screening and Transitional Buffer Yards.** The requirements of Section 11, Landscaping, of the City of Missouri City Zoning Ordinance shall apply, including required screening of driveways and parking areas.
- G. Ingress and Egress.** Except as set forth herein, all driveways shall be constructed and developed in accordance with the Missouri City Code, including the Public Infrastructure Design Manual.
- 1. Access.** Vehicular access shall be limited to two (2) driveways on State Highway 6. One driveway shall serve as the main entrance to the private storage facility and the second driveway will serve as the main entrance to the rest of the planned development district. A third gated driveway from the private storage facility onto the driveway designated as "School Road" in Exhibit "B" shall be used only as a fire truck exit gate.
  - 2. Cross Access.** The developer shall maintain a twenty-five (25) foot wide concrete driveway in front of the Office to provide cross access to adjacent sites within the planned development district.
- H. Parking Regulations.** The requirements of Section 12, Parking Regulations, of the City of Missouri City Zoning Ordinance shall apply.
- I. Sign Regulations.** Except as set forth herein, the sign regulations existing on the date on which Ordinance No. O-07-28 was adopted, May 21, 2007, shall apply.
- 1. Size of flag.** The total square footage of the flag attached to the self-supporting monopole structure located on the unmanned wireless telecommunications facility shall not exceed 760 square feet.
- J. Fence Regulations.** Except as set forth herein, the fence regulations for LC-2 local retail districts contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance shall apply.
- 1. Unmanned Telecommunications Facility.** A chain link fence with vinyl slats shall be installed around the equipment and the self-supporting monopole structure on the east, south, and west sides in order to completely screen the equipment and the self-supporting monopole structure. The chain link fence with vinyl slats shall be at least one (1) foot taller than the actual equipment itself and no taller

## CHANGES MARKED 2018.01.11

than the existing masonry wall on the north side of the site. The vinyl slats must be a color that matches the adjacent buildings. One (1) foot of barbed wire fencing shall be allowed on top of the chain link fence.

- K. Tower Regulations.** The self-supporting monopole structure (flagpole) located on the unmanned wireless telecommunications facility shall comply with Section 15.B, Towers, of the City of Missouri City Zoning Ordinance except that it shall not exceed 105 feet in height. Such monopole structure shall at all times be used as a flagpole except when a flag is not flown in accordance with established rules of flag etiquette.
- L. Outdoor Placement.** There shall be no outside placement.
- M. Outside Storage.** Except as set forth herein, outside storage of materials, merchandise, or equipment is prohibited.
1. The outside storage requirements for LC-2 local retail districts contained in Subsection 9.17.B, Outside storage, of the City of Missouri City Zoning Ordinance shall apply to the tract designated as “Former Restaurant” in Exhibit “B.”
- N. Outdoor Sales.** There shall be no outside sales.
- O. Hours of Operation and Access for the Office and Private Storage Facility.** The permissible hours of operation for the Office will be from 9:00 a.m. until 5:30 p.m. Monday through Friday, and from 8:00 a.m. until 4:00 p.m. Saturday. Customers of the private storage facility will have access to the facility through a locked security gate between the hours of 6:00 a.m. and 10:00 p.m. seven (7) days a week.
- P. General Security for the Private Storage Facility.** The following shall apply within the private storage facility:
1. All storage stalls, including vacant ones, shall be kept locked.
  2. A wrought iron security entrance gate shall be maintained.
  3. The security entrance gate from State Highway 6 shall be accessible via keypad system. The rear exit gate onto the driveway designated as “School Road” in Exhibit “B,” shall be constructed of wrought iron material and shall be maintained to comply with the specifications required by the Missouri City Fire Department to allow emergency vehicular access.

## CHANGES MARKED 2018.01.11

- Q. Sidewalk.** All sidewalks shall comply with applicable provisions of the Missouri City Code, including the Public Infrastructure Design Manual.
- R. Sound.** Sound emanating from PD Planned Development District No. 11 shall comply with the Missouri City Code. Additionally, the amplification of sound to the outside of buildings shall be prohibited.
- S. Utilities.** The provision and construction of utilities shall comply with the Missouri City Code, including the Public Infrastructure Design Manual.
- T. Construction Activity.** Construction shall only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday.
- U. Development Schedule.** Pursuant to Section 8, PD Planned Development District, of the City of Missouri City Zoning Ordinance, the regulations pertaining to the 1.11-acre tract of land owned by Happy Hoa Chuong, LLC shall expire on the fifth anniversary of the date the planned development district amendment application was filed if no progress has been made towards the completion of this project.

Section 5. The Zoning District Map of the City of Missouri City shall be revised and amended to show the zoning classification of said 6.40-acre tract of land as provided in Section 3 hereof, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of these changes.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Missouri City, save and except the changes described in this Ordinance and the imposition of the findings, regulations, restrictions, and conditions contained herein.

Section 7. *Comprehensive plan deviation.* To the extent this Ordinance represents any deviation from the Future Land Use and Character map of the City of Missouri City Comprehensive Plan, such map is hereby amended to conform with this Ordinance.

Section 8. *Repeal.* Ordinance Number O-16-14, adopted by the City Council of the City of Missouri City on April 18, 2016, is hereby repealed. Any ordinance or any other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 9. *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

**CHANGES MARKED 2018.01.11**

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 10. 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 \_\_\_\_\_ day of \_\_\_\_\_,  
~~2017.~~2018.

PASSED, APPROVED and ADOPTED on second and final reading this \_\_\_\_\_  
day of \_\_\_\_\_ ~~2017.~~ 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

Document comparison by Workshare Compare on Wednesday, January 10, 2018 3:10:10 PM

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**ORDINANCE NO. O-16-14**

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING REGULATIONS IN PD PLANNED DEVELOPMENT DISTRICT NO. 11; REGULATING AND RESTRICTING THE DEVELOPMENT AND USE OF PROPERTY WITHIN SUCH PD PLANNED DEVELOPMENT DISTRICT; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MISSOURI CITY; PROVIDING FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

\* \* \* \* \*

WHEREAS, Burger King Corporation is the owner of approximately 0.85 acres of land; CCP/Shurgard Venture, LLC, is the owner of approximately 3.99 acres of land; Happy Hoa Chuong, LLC, is the owner of approximately 1.11 acres of land; and Robert F. and Susan R. Shaffer are the owners of approximately 0.46 acres of land, for a total of approximately 6.40 acres of land within the corporate limits of the City of Missouri City, Texas (the "Property"); and

WHEREAS, said Property presently has a zoning classification of PD Planned Development District No. 11 under Ordinance No. O-07-28, adopted on May 21, 2007; and

WHEREAS, Jiju Thomas, agent of Burger King Corporation, has made application to the City of Missouri City to amend PD Planned Development District No. 11, as applied only to the 0.85-acre tract of land owned by Burger King Corporation; and

WHEREAS, pursuant to Section 8.3 of the City of Missouri City Zoning Ordinance, said application was submitted to the City of Missouri City with proof of notice to all of the other property owners within PD Planned Development District No. 11; 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 requested amendment; and

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

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

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

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

Section 3. The Property can be described as being all 6.40 acres described in the Final Plat of Park Place, a subdivision recorded under Fort Bend County Clerk's instrument number 1176588 and Slide 1776B of the Plat Records of Fort Bend County, Texas, and is depicted in Exhibit "A," attached hereto and made a part hereof for all purposes. Exhibit "A," shall be for reference purposes only. In the event that Exhibit "A," conflicts with the recorded plat, the recorded plat shall prevail.

Section 4. PD Planned Development District No. 11 shall be developed in accordance with the Missouri City Code, including the City of Missouri City Zoning Ordinance, and shall be developed generally in accordance with the site plan, Exhibit "B," attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

- A. Purpose.** PD Planned Development District No. 11 is designed to accommodate a private storage facility with a sales office, an unmanned wireless telecommunications facility, a tower, a child-care center, and other LC-2 local retail district uses not inconsistent with the requirements of this Ordinance. The development will be designed to blend with the overall residential tone and nature of the surrounding area.
- B. Use Regulations.** In PD Planned Development District No. 11, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance.

The following uses shall be allowed:

1. Private storage buildings for storage use only at the locations designated as Buildings A, B, C, D, E, F, G, J and K in Exhibit "B," site plan.
2. A private storage sales office at the location designated as "Office" in Exhibit "B" (the "Office").
3. A tower adjacent to the Office.
4. LC-2 local retail district uses at the tract located at the intersection

of School Road and State Highway 6 as depicted in Exhibit "B."

5. An unmanned wireless telecommunications facility located between the locations designated as Buildings J and K in Exhibit "B."
6. Except when inconsistent with the requirements set forth in this Ordinance, LC-2 local retail district uses at the tract abutting State Highway 6 and adjacent to the tract located at the intersection of School Road and State Highway 6 as depicted in Exhibit "B."
7. A drop-in child care center on the location designated as "Leased Premises" in Exhibit "C," Lake Olympia Shopping Center, attached hereto and made a part hereof for all purposes.

**C. Height and Area Regulations.** Except as set forth herein, all buildings and structures shall meet the height and area regulations for LC-2 local retail district contained in Subsection 7.11 of the City of Missouri City Zoning Ordinance.

1. The self-supporting monopole structure (flagpole) located on the unmanned wireless telecommunications facility shall not exceed 105 feet in height.

**D. Building Regulations.**

1. **Architectural Standards.** Except as set forth herein, the architectural regulations contained in Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance shall apply.
  - a. **Existing Buildings.** All private storage buildings and all buildings on the tract located at the intersection of School Road and State Highway 6 shall be constructed with the elevation, colors, style, and materials described and depicted on Exhibit "B." The private storage buildings shall be constructed with brick and concrete and flat standing seam metal roofs as depicted on Exhibit "B." Metal doors shall be permitted on the private storage buildings provided they match the color of the roof of the building. All buildings on the tract located at the intersection of School Road and State Highway 6 shall be constructed with brick and part gable part hip and shed standing seam metal roof as depicted on the Exhibit "B." No mansard roofs are allowed on such buildings.
  - b. **Television Satellite Dish.** The television satellite dish shall

either be removed from the Office building or located to the rear of the Office building and screened from public view of adjoining properties with landscaping.

2. **Lighting.** Lighting shall comply with the regulations of LC-2 local retail district contained in Section 7.11.D.2 of the Missouri City Zoning Ordinance.
3. **Floor area.** The total floor area of all of the combined private storage areas shall be the total floor area of all of the combined private storage areas existing as of the date on which this Ordinance is adopted, as documented by the development services department at the final adoption of this Ordinance.
4. **Air Conditioning, Ventilation, and Mechanical Equipment.** For all buildings, mechanical equipment shall be screened from public view by landscaping or by materials similar to that of the principal building within each tract located within the planned development district.
5. **Unmanned Telecommunications Facility.** All transformers, wall mounted mechanical equipment, ground mounted mechanical equipment, service and utility boxes, air conditioning units, bollards, and any other architectural elements or transmitting/receiving equipment located within or adjacent to the fenced equipment compound shall be completely screened on all sides as further required in Subsection 15C.2.A(1)(f) of the City of Missouri City Zoning Ordinance.

**E. Sanitation.**

1. **Trash disposal.** Trash disposal and service areas shall be screened from public view by landscaping or masonry enclosures constructed of material similar to that of the principal building within each tract of the planned development district.
2. **Dumpsters.** Dumpsters shall be located either to the rear or side of buildings and shall be screened by a masonry enclosure, a minimum of eight (8) feet in height, and consisting of brick matching the building.

**F. Landscaping, Screening and Transitional Buffer Yards.** The requirements of Section 11, Landscaping, of the City of Missouri City Zoning Ordinance shall apply, including required screening of driveways and parking areas.

- G. Ingress and Egress.** Except as set forth herein, all driveways shall be constructed and developed in accordance with the Missouri City Code, including the Public Infrastructure Design Manual.
1. **Access.** Vehicular access shall be limited to two (2) driveways on State Highway 6. One driveway shall serve as the main entrance to the private storage facility and the second driveway will serve as the main entrance to the rest of the planned development district. A third gated driveway from the private storage facility onto the private school driveway shall be used only as a fire truck exit gate.
  2. **Cross Access.** The developer shall maintain a twenty-five (25) foot wide concrete driveway in front of the Office to provide cross access to adjacent sites within the planned development district.
- H. Parking Regulations.** The requirements of Section 12, Parking Regulations, of the City of Missouri City Zoning Ordinance shall apply.
- I. Sign Regulations.** Except as set forth herein, the sign regulations existing on the date on which Ordinance No. O-07-28 was adopted, May 21, 2007, shall apply.
1. **Size of flag.** The total square footage of the flag attached to the self-supporting monopole structure located on the unmanned wireless telecommunications facility shall not exceed 760 square feet.
- J. Fence Regulations.** Except as set forth herein, the fence regulations for LC-2 local retail districts contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance shall apply.
1. **Unmanned Telecommunications Facility.** A chain link fence with vinyl slats shall be installed around the equipment and the self-supporting monopole structure on the east, south, and west sides in order to completely screen the equipment and the self-supporting monopole structure. The chain link fence with vinyl slats shall be at least one (1) foot taller than the actual equipment itself and no taller than the existing masonry wall on the north side of the site. The vinyl slats must be a color that matches the adjacent buildings. One (1) foot of barbed wire fencing shall be allowed on top of the chain link fence.
- K. Tower Regulations.** The self-supporting monopole structure (flagpole) located on the unmanned wireless telecommunications facility shall comply with Section 15.B, Towers, of the City of Missouri City Zoning Ordinance except that it shall not exceed 105 feet in height. Such

monopole structure shall at all times be used as a flagpole except when a flag is not flown in accordance with established rules of flag etiquette.

- L. Outdoor Placement.** There shall be no outside placement.
- M. Outside Storage.** Except as set forth herein, outside storage of materials, merchandise, or equipment is prohibited.

  - 1. The outside storage requirements for LC-2 local retail districts contained in Subsection 9.17.B, Outside storage, of the City of Missouri City Zoning Ordinance shall apply to the tract located at the intersection of School Road and State Highway 6 as depicted in Exhibit "B."
- N. Outdoor Sales.** There shall be no outside sales.
- O. Hours of Operation and Access for the Office and Private Storage Facility.** The permissible hours of operation for the Office will be from 9:00 a.m. until 5:30 p.m. Monday through Friday, and from 8:00 a.m. until 4:00 p.m. Saturday. Customers of the private storage facility will have access to the facility through a locked security gate between the hours of 6:00 a.m. and 10:00 p.m. seven (7) days a week.
- P. General Security for the Private Storage Facility.** The following shall apply within the private storage facility:

  - 1. All storage stalls, including vacant ones, shall be kept locked.
  - 2. A wrought iron security entrance gate shall be maintained.
  - 3. The security entrance gate from State Highway 6 shall be accessible via keypad system. The rear exit gate onto the private school driveway shall be constructed of wrought iron material and shall be maintained to comply with the specifications required by the Missouri City Fire Department to allow emergency vehicular access.
- Q. Sidewalk.** All sidewalks shall comply with applicable provisions of the Missouri City Code, including the Public Infrastructure Design Manual.
- R. Sound.** Sound emanating from PD Planned Development District No. 11 shall comply with the Missouri City Code. Additionally, the amplification of sound to the outside of buildings shall be prohibited.
- S. Utilities.** The provision and construction of utilities shall comply with the Missouri City Code, including the Public Infrastructure Design Manual.

**T. Construction Activity.** Construction shall only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday.

**U. Development Schedule.** Pursuant to Section 8, PD Planned Development District, this ordinance shall expire on the fifth anniversary of the date the first planned development application was filed if no progress has been made towards completion of this project.

Section 5. The Zoning District Map of the City of Missouri City shall be revised and amended to show the zoning classification of said 6.40-acre tract of land as provided in Section 3 hereof, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of these changes.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Missouri City, save and except the change in zoning classification of the 6.40-acres of land described in Section 3 hereof and the imposition of the findings, regulations, restrictions and conditions applicable to PD Planned Development District No. 11 contained herein.

Section 7. *Comprehensive plan deviation.* To the extent this Ordinance represents any deviation from the Future Land Use and Character map of the City of Missouri City Comprehensive Plan, such map is hereby amended to conform with this Ordinance.

Section 8. *Repeal.* Ordinance Number O-07-28, adopted by the City Council of the City of Missouri City on May 21, 2007, is hereby repealed. Any ordinance or any other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 9. *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 10. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED on first reading this 4th day of April, 2016.

PASSED, APPROVED and ADOPTED on second and final reading this 18th day of April, 2016.



Allen Owen, Mayor

ATTEST:

  
Maria Jackson, City Secretary

APPROVED AS TO FORM:

  
E. Joyce Lyamu, City Attorney

# EXHIBIT "A"

Page 1 of 1

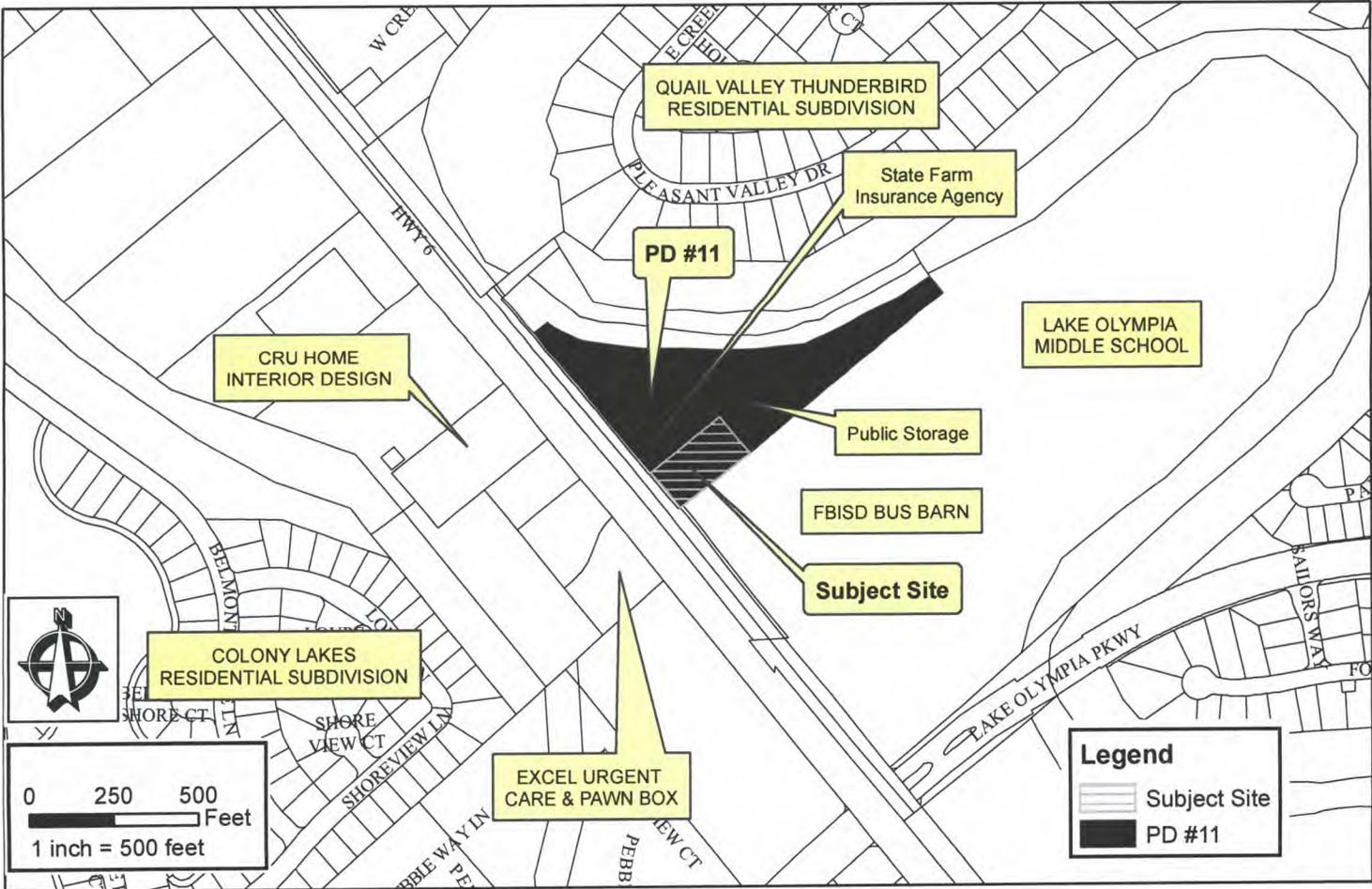
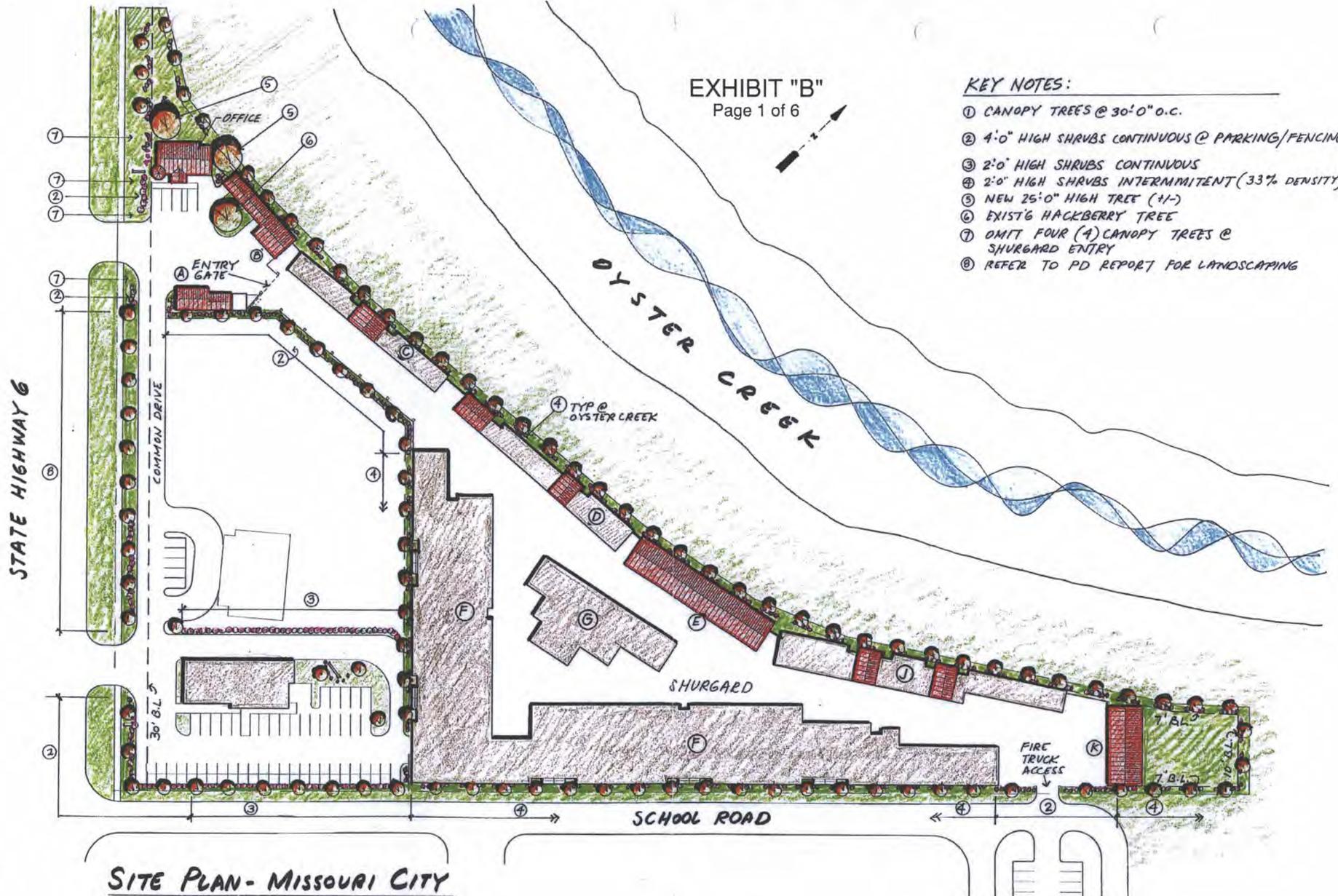


EXHIBIT "B"

Page 1 of 6

KEY NOTES:

- ① CANOPY TREES @ 30'-0" O.C.
- ② 4'-0" HIGH SHRUBS CONTINUOUS @ PARKING/FENCING
- ③ 2'-0" HIGH SHRUBS CONTINUOUS
- ④ 2'-0" HIGH SHRUBS INTERMITTENT (33% DENSITY)
- ⑤ NEW 25'-0" HIGH TREE (+/-)
- ⑥ EXIST'G HACKBERRY TREE
- ⑦ OMIT FOUR (4) CANOPY TREES @ SHURGARD ENTRY
- ⑧ REFER TO PD REPORT FOR LANDSCAPING

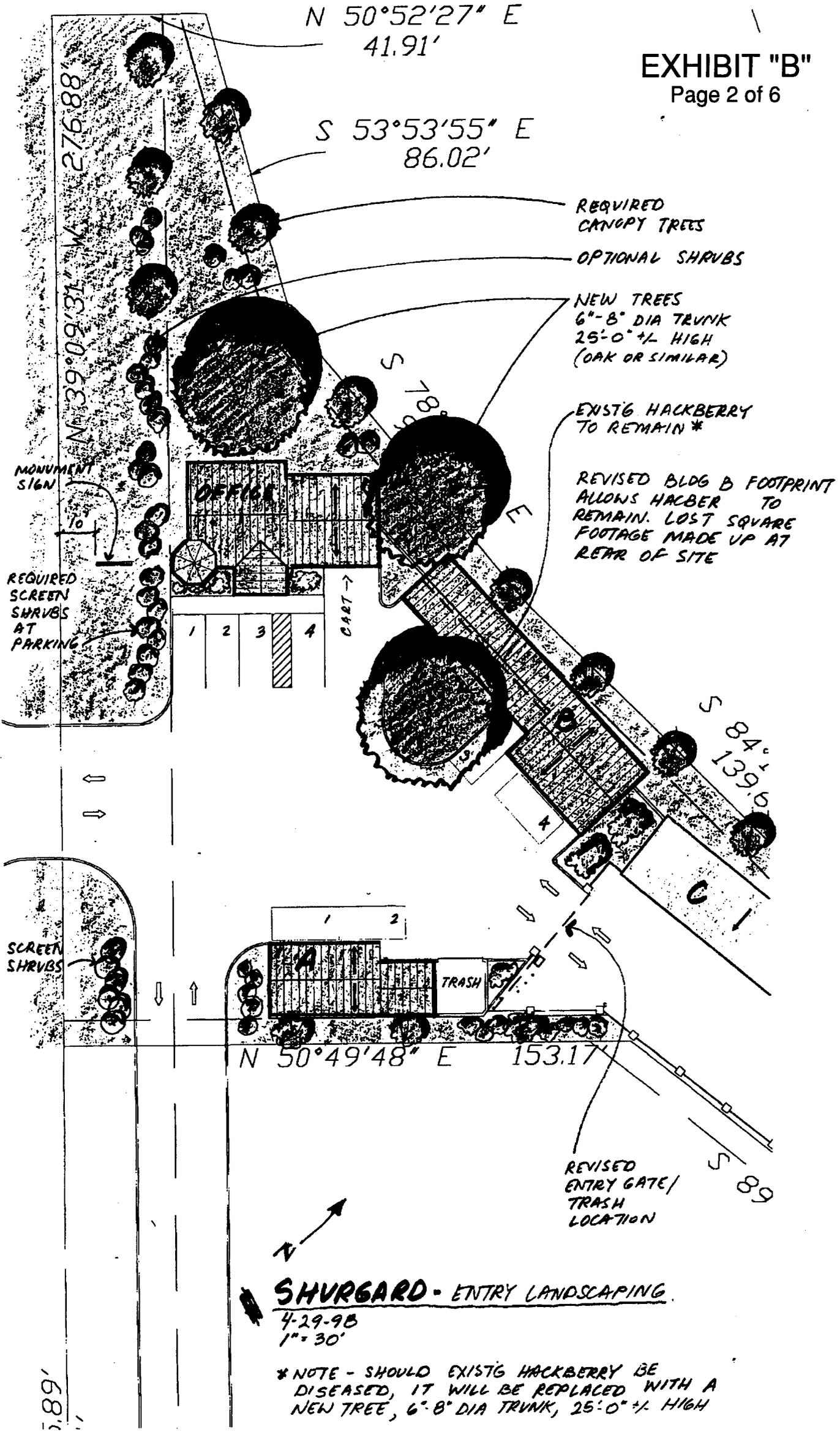


SITE PLAN - MISSOURI CITY

5-14-98 B.R. N.T.S. SHURGARD

EXHIBIT "B"

Page 2 of 6



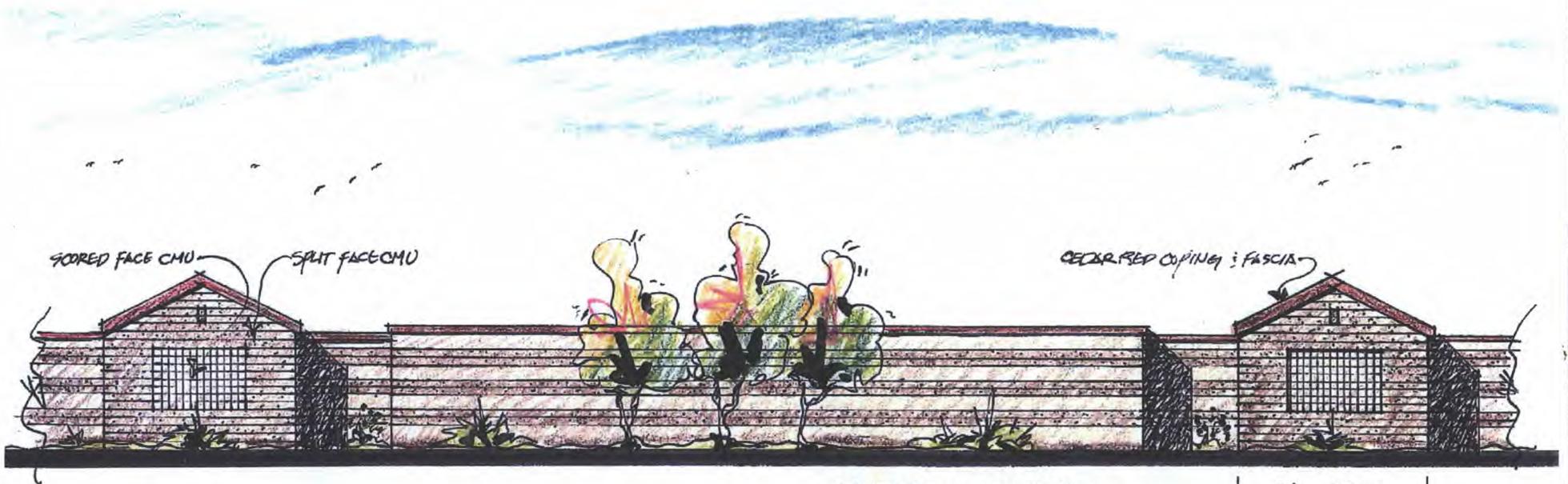
SHURGARD - ENTRY LANDSCAPING

4-29-98  
1" = 30'

\* NOTE - SHOULD EXIST'G HACKBERRY BE DISEASED, IT WILL BE REPLACED WITH A NEW TREE, 6"-8" DIA TRUNK, 25'-0" +/- HIGH

# EXHIBIT "B"

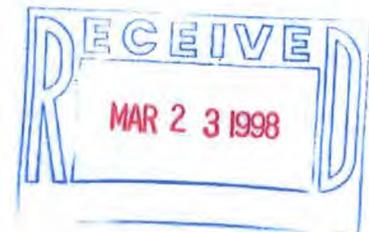
Page 3 of 6



(2) COURSES OF ALTERNATING  
SPLIT & SMOOTH FACE CMU - PAINTED TAN

(3) 20' TP.  
PAVILIONS

SCHOOL DISTRICT ROAD ELEVATION 1:10  
3-19-98 J.S. SHURGARD



# EXHIBIT "B"

Page 4 of 6



SHURGARD/BURGER KING HIGHWAY 6  
3-31-98

# EXHIBIT "B"

Page 5 of 6



BACK TO FRONT

MONUMENT SIGN w/ BRICK BASE

SCORED FACE CMU

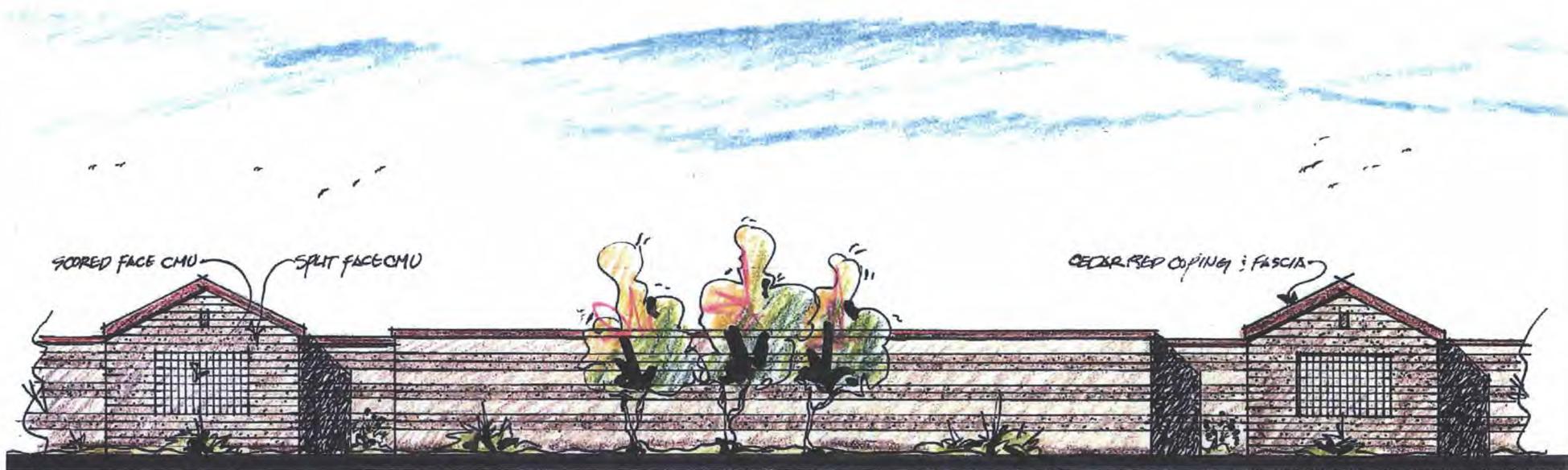
MISSOURI CITY · HIGHWAY 6 · ELEVATION 1:20  
3.30.98 JS. SHURGARD

SHURGARD



# EXHIBIT "B"

Page 6 of 6

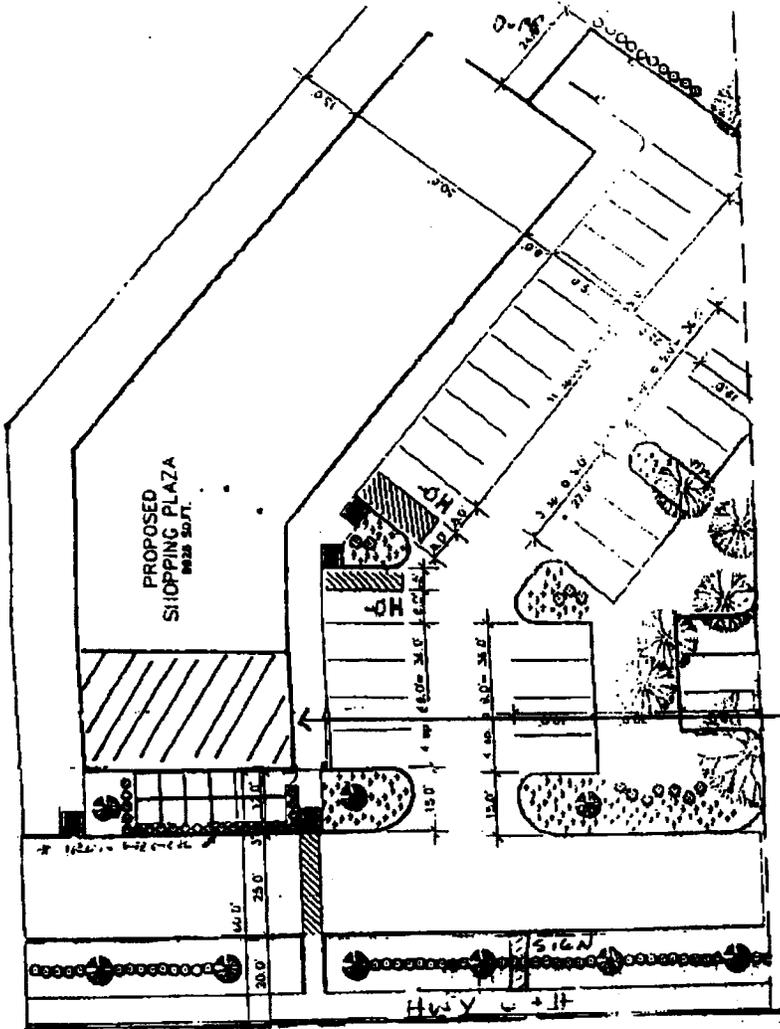


(2) COURSES OF ALTERNATING  
SPLIT & SMOOTH FACE CMU - PAINTED TAN

(3) 20' TYP.  
PAVILIONS

SCHOOL DISTRICT ROAD ELEVATION 1:10  
3-19-98 J.S. SHURGARD

RECEIVED  
MAR 23 1998



"LEASED PREMISES"  
 Approximately 1,500 SF  
 Missouri City, Texas

The "Leased Premises" as shown hereon is for DARWIN LABELLE  
 Tenant shall be allowed limited "dine in" seating within the space and on the adjacent patio in accordance with the terms in Section 6.06 of the Lease.

Subject to the terms of the Lease, any future construction by the Landlord within the Shopping Center will not affect the validity of the lease covering the Leased Premises. Landlord may elect to change the location, size, layout, or other details of any buildings, or Common Area in the Shopping Center and/or to construct other buildings in the Shopping Center and such changes will not affect the validity of the Lease covering the Leased Premises.

EXHIBIT "C"  
 Page 1 of 1

**Lake Olympia Shopping Center**  
 located on  
 Lot 3B of a replat of Lot 3 of Park Place Subdivision

INITIAL+ VD  
DSB

Child's Play on B



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**CITY OF MISSOURI CITY, TEXAS**  
July 12, 2017

**1. CALL TO ORDER**

The Notice of Meeting and Agenda having been duly posted in accordance with legal requirements and a quorum being present, the meeting was called to order by Vice Chairman Haney, at 7:00 PM.

**2. ROLL CALL**

**Commissioners Present:**

Timothy Haney  
John O'Malley  
Reginald Pearson  
Courtney Johnson Rose  
Ramesh Anand  
Len Goff

**Commissioners Absent:** Chairman Brown-Marshall, Commissioner Parker, Commissioner Brightwell

**Councilmembers Present:** None

**Staff Present:**

Scott Elmer, Assistant City Manager  
Otis T. Spriggs, Director of Development Services  
E. Joyce Iyamu, City Attorney  
Jennifer Thomas Gomez, Planning Manager  
Jennifer Hobbs, Assistant City Engineer  
Thomas White, Planner II  
Nancy Desobry, Office Manager

**Others Present:**

Randy Bowles	Kathryn Edwards	D. Stanley
Emmitt Allen	Horace Doyle	

**3.**

**7. ZONING MAP AMENDMENTS**

**A. PUBLIC HEARING FOR A ZONING MAP AMENDMENT**

(1) Public hearing to receive comments for or against a request by Deshun Stanley to amend the rules and regulations of PD, Planned Development District #11 to allow for the location of an adult day care center, and to the extent such rezoning deviates from the Future Land Use and character map of the Comprehensive Plan, to provide for an amendment therefrom. PD #11 is located north and east of the intersection of Lake Olympia Parkway and State Highway 6 and includes a Public Storage facility (6725 Highway 6); a State Farm Insurance business (6705 Highway 6); a shopping center (6701 Highway 6); and a vacant fast food restaurant building (6855 Highway 6). The proposed adult day care center would be located within a lease space within the shopping center.

Ms. Jennifer Gomez, presented this item stating PD, Planned Development District No. 11 was originally established to allow for the development of commercial/retail uses which would be designed to reflect and compliment a residential character. The development was to accommodate a fast food restaurant, storage facility, office and commercial/retail uses. The applicant entered into a five-year lease to locate an adult day care center within the shopping center located within the PD. The lease space is approximately 1,880 square feet. The applicant has indicated that the business would provide “a safe place where senior adults can go daily to interact with each other in an enjoyable environment.” The applicant anticipates an initial client base of between 10 to 20 adults. The center would provide daily meals and snacks for its clients in addition to onsite activities to include games, arts and crafts, movies, therapeutic activities and social events. Regular field trips would also be provided. Section 15.2 of the City’s zoning ordinance provides that an SUP, Specific Use Permit is required for an institution for the elderly unless the proposed use is located within a PD. The adult day care center use is considered to be an institution for the elderly. Certain adult day care centers are licensed through the Texas Department of Health and Human Services.

Ms. Gomez stated the applicant has shown an outdoor relaxation and sitting area of approximately 400 square feet to be located within a landscaped area within the parking lot. It is staff’s recommendation to allow for the location of an adult day care center within the shopping center located at 6701 Highway 6, Suite 102, provided that all activities related to the business are conducted inside of the lease space. It is unclear, however, as to whether or not the outdoor area presented is a licensing requirement for this type of use. Staff recommends that all activities be conducted either inside of the lease space or clients transported off site as this area is not designed to support nor protect the lounging of persons.

Ms. Deshun Stanley stated they would be State licensed. She did not know if an outside area was required for State license, but would comply with those requirements as well as the City requirements.

**Motion:** To close the public hearing

**Made By:** Commissioner Rose  
**Second:** Commissioner Goff

**AYES:** Commissioner Pearson, Commissioner Rose,  
Commissioner Anand, Commissioner Goff, Commissioner  
Haney, Commissioner O'Malley

**NAYS:** None

The motion passed.

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

**Motion:** The Planning Commission adopt this as a final report and  
forward to City Council with a positive recommendation  
and to comply with State and City requirements.

**Made By:** Commissioner Rose  
**Second:** Commissioner Goff

**AYES:** Commissioner Pearson, Commissioner Rose,  
Commissioner Anand, Commissioner Goff, Commissioner  
Haney, Commissioner O'Malley

**NAYS:** None

The motion passed.



**PLANNING AND ZONING COMMISSION  
FINAL REPORT**

---

**AGENDA DATE:** August 7, 2017

**AGENDA ITEM SUBJECT:** Serenity Falls Adult Day Care Center – PD Amendment

**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:** 1701632

**PROPERTY ID:** 0013-00-000-0450-907

**LOCATION:** 6701 Highway 6, Suite 120

The proposed adult day care center would be located within a lease space within the shopping center in PD, Planned Development District #11.

PD #11 is located north and east of the intersection of Lake Olympia Parkway and State Highway 6 and includes a Public Storage facility (6725 Highway 6); a State Farm Insurance business (6705 Highway 6); a shopping center (6701 Highway 6); and a vacant fast food restaurant building (6855 Highway 6).

---

**RECOMMENDED ACTION:**

The proposal complies with the provisions of the 2017 Comprehensive Plan and the policies contained in the Future Land Use Map. Such policies recommend development of the tract as Commercial allowing for the Auto-Oriented Character.

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.

---

## **BACKGROUND INFORMATION:**

PD, Planned Development District No. 11 was originally established to allow for the development of commercial/retail uses which would be designed to reflect and compliment a residential character. The development was to accommodate a fast food restaurant, storage facility, office and commercial/retail uses.

The applicant entered into a five-year lease to locate an adult day care center within the shopping center located within the PD. The lease space is approximately 1,880 square feet. The applicant has indicated that the business would provide “a safe place where senior adults can go daily to interact with each other in an enjoyable environment.” The applicant anticipates an initial client base of between 10 to 20 adults. The center would provide daily meals and snacks for its clients in addition to onsite activities to include games, arts and crafts, movies, therapeutic activities and social events. Regular field trips would also be provided.

Section 15.2 of the City’s zoning ordinance provides that an SUP, Specific Use Permit is required for an institution for the elderly unless the proposed use is located within a PD. The adult day care center use is considered to be an institution for the elderly.

Certain adult day care centers are licensed through the Texas Department of Health and Human Services.

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## **REQUIREMENTS FOR A PD DISTRICT AMENDMENT APPLICATION (SECTION 8.3)**

### **A. Ownership documentation.**

The applicant has submitted a statement of ownership listing each owner and proof of notice to all of the other property owners within the PD district in accordance with Section 8.3.A.1.

### **B. Legal description:**

PD #11 can be described as being all 6.40 acres described in the final plat of Park Place, a subdivision recorded under Fort Bend County Clerk’s instrument number 1176588 and slide 1776B of the plat records of Fort Bend County, Texas.

### **C. Site Plan:**

Generally, the applicant is not proposing any change to the existing site layout, except for the addition of an outdoor relaxation and sitting area.

1. **Water and sewer service.** The subject site is not located within a municipal utility district. Quail Valley Utility District provides services to the subject site on a contract basis.

2. **Drainage.** The subject site is located within the Oyster Creek watershed.

**D. Total acreage:**

PD #11 is comprised of approximately 6.40 acres. The adult day care center is proposed to be located at 6701 Highway 6, Suite 120 which is approximately 1,880 square feet.

**E. Minimum design standards:**

The applicant has complied with City standards, except as requested below in the Analysis of the Subject Site.

**F. Development Schedule.** The applicant has advised the development shall be completed within the required five-year timeframe pursuant to Section 8.2.D. The applicant has entered into a five-year lease agreement for the proposed location.

---

**GENERAL SITE INFORMATION:**

**A. Existing Land Use and Zoning Designation:** Commercial/retail businesses / PD #11 (Ordinance O-16-14).

**B. Surrounding Land Uses and Zoning Designations:**

North: Oyster Creek / Quail Valley Thunderbird residential subdivision / R-1, single family residential district

South: FBISD Bus Barn / SUP, Specific Use Permit #113 (Ordinance O-92-99)

East: FBISD Bus Barn / SUP, Specific Use Permit #113 (Ordinance O-92-99)

West: Excel Urgent Care Center / LC-3, retail district

**C. Zoning History:**

10-19-1965: Subject site annexed by the City of Missouri City (Ordinance No. 12).

01-19-1981: Subject site zoned SD, Suburban District (Ordinance O-81-01).

05-18-1998: Subject site zoned PD, Planned Development District #11 (Ordinance O-98-18).

01-03-2000: PD #11 amended (Ordinance O-00-03) to allow for the location of an insurance office.

02-20-2006: PD #11 amended (Ordinance O-06-05) to allow for the location of a telecommunications tower.

- 05-21-2007: PD #11 amended (Ordinance O-07-28) to allow for a child care facility.
- 04-18-2016: PD #11 amended (Ordinance O-16-14) to remove the limitations on the restaurant tract and allow for LC-2 uses within that portion of the PD.
- 

## **ANALYSIS OF SUBJECT SITE:**

Except as provided herein, no changes are recommended to PD #11.

- A. Use regulations.** In PD, Planned Development District No. 11, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance.

PD, Planned Development District No. 11 was originally established to allow for the development of commercial/retail uses which would be designed to reflect and compliment a residential character. The development was to accommodate a fast food restaurant, storage facility, office and commercial/retail uses.

Presently, PD No. 11 allows for the following uses:

1. Private storage buildings for storage use only at the locations designated as Buildings A, B, C, D, E, F, G, J and K...
2. A private storage sales office at the location designated as "Office" in Exhibit B...
3. A tower adjacent to the Office.
4. LC-2 local retail district uses at the tract located at the intersection of School Road and State Highway 6 as depicted in Exhibit B.
5. An unmanned wireless telecommunications facility located between the locations designated as Buildings J and K...
6. ...LC-2 local retail district uses at the tract abutting State Highway 6 and adjacent to the tract located at the intersection of School Road and State Highway 6...
7. A drop-in child care center...

The applicant entered into a five-year lease to locate an adult day care center within the shopping center located within the PD. The lease space is approximately 1,880 square feet. The applicant has indicated that the business would provide "a safe place where senior adults can go daily to interact with each other in an enjoyable environment." The applicant anticipates an initial client base of between 10 to 20 adults. The center would provide daily meals and snacks for its clients in addition to onsite activities to include games, arts and crafts, movies, therapeutic activities and social events. Regular field trips would also be provided.

Additionally, the applicant has shown an outdoor relaxation and sitting area of approximately 400 square feet to be located within a landscaped area within the parking lot.

Section 15.2 of the City's zoning ordinance provides that an SUP, Specific Use Permit is required for an institution for the elderly unless the proposed use is located within a PD. The adult day care center use is considered to be an institution for the elderly.

Certain adult day care centers are licensed through the Texas Department of Health and Human Services.

**Conformance with the Comprehensive Plan:** The City's 2017 Comprehensive Plan does not explicitly provide a goal for this specific business however the Plan does provide that the City's older adult population, those persons aged 65 years to 74 years increased by more than 120 percent in a fifteen year period of time. In addition, the average household size in the City declined and approximately four percent of persons in this age category were found to be living alone.

**Conformance with the Land Use Plan:** The Future Land Use Map identifies PD No. 11 as Commercial. Commercial developments are associated with the Auto-Oriented Character and defined to include the following:

***Auto-Oriented Character*** (Single Family Residential, High Density Residential, and Commercial): This designation typically covers most areas identified for commercial uses where accommodation of automobile access, circulation, and parking drives the placement of buildings and overall site design.

**Staff recommended:** To allow for the location of an adult day care center within the shopping center located at 6701 Highway 6, Suite 102 provided that all activities related to the business are conducted inside of the lease space.

The aging of the City's population and the choices being made by older adults to move to the City results in the need to ensure that adequate land uses are available to serve these various needs.

It is unclear, however, as to whether or not the outdoor area presented is a licensing requirement for this type of use. Staff recommends that all activities be conducted either inside of the lease space or clients transported off site as this area is not designed to support nor protect the lounging of persons.

**Planning and Zoning Commission recommends:** To approve as staff recommended however to allow for the outdoor area, if such area is required by the State for this type of facility.

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



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

**APPLICATION FOR:**

- Check One:  
 SPECIFIC USE PERMIT  
 SPECIFIC USE PERMIT AMENDMENT  
 PLANNED DEVELOPMENT DISTRICT  
 PLANNED DEVELOPMENT DISTRICT AMENDMENT

SEE EXHIBITS "A" (PAGE 7), "B", AND "C" (PAGE 8)  
**FOR INFORMATION REQUIRED FOR COMPLETE APPLICATION SUBMITTAL**

**Date of Application:**

1. Project Name:	Serenity Falls Adult Day Center
2. Address/Location of Property:	6701 Highway 6 Suite 120 Missouri City, TX 77489
3. Applicant's Name:	Deshun Stanley
Mailing Address:	13108 Grantham Ridge Court
Phone No.:	(832) 524-5442 or (713) 822-9024
Email:	lewis.deshun@yahoo.com or egallen10@att.net
4. Status of Applicant:	Owner Agent Attorney Trustee Corporation Relative (If other than Owner, submit written authorization from Owner with application.)
5. Property Owner:	Happy Hog Chuong, LLC
Mailing Address:	7426 Dresden Avenue
Phone No.:	(713) 270-8101
Email:	vlamproperty@gmail.com
6. Existing Zoning District:	PD # 11
7. Total Acreage:	1.11 acres
8. Proposed Development and Reasons for Application:	To lease a space for an Adult Day Center.
9. Legal Description of the Property (If the legal description is a portion of a lot, then a metes and bound description of the tract must be submitted with application.):	0013 D Bright, Acres 1.11, Lot 3-B, Park Place R/P <Survey Attached>
10. Central Appraisal District tax identification numbers of property (Attach Paid Tax Receipts):	0013-00-000-04.50-907 <Paid Tax Receipts-Attached>
11. Do deed restrictions or restrictive covenants exist for the property? (Circle One):	YES NO
12. Does this application include an Architectural Design Review: (Circle One):	YES NO
FILING FEE: \$1,200.00 ✓	

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

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

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

Deshun Stanley  
 Print Name of Applicant

Happy Hog Chuong, LLC-Vicki Lam  
 Print Name of Property Owner

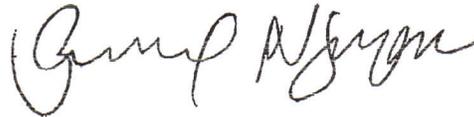
Deshun Stanley  
 Signature of Applicant

XV  
 Signature of Property Owner, Agent or Attorney

happy hoa chuong llc

June 6, 2017

I, Chuong Nguyen, one of the managing members of Happy Hoa Chuong LLC, authorize Deshun Stanley – Serenity Falls Adult Day Center has permission to file on behalf of the owner for the Planned Development Amendment. If there are any other further questions or concerns moving forward please contact my property management company VLAM Property Management at 713-270-8101 or vlamproperty@gmail.com. Thank you.



Chuong Nguyen, managing member of Happy Hoa Chuong LLC

# *Serenity Falls Adult Day Center, Inc.*

## **COMPANY DESCRIPTION:**

Serenity Falls Adult Day Center, Inc. primary goal is to excel in the Adult Day Center business by providing a safe, vibrant and socially engaging environment where our most precious citizens, senior adults can receive services that will make their lives happier, healthier and more meaningful. In today's society a vast majority of senior adults are residing with their adult children. Our ultimate purpose is to provide a safe place where senior adults can go daily to interact with each other in an enjoyable environment. Our mission is to provide exceptional service, recreational and social activities to help eliminate loneliness and isolation amongst our senior adults. Our initial client expectation each day are approximately 10 to 20 adult seniors.

## **WHAT ARE THE CREDENTIALS OF THE STAFF?**

Serenity Falls Adult Day Center has an experienced staff with over 20 years of experience in the social services, medical and senior adult services industry. We have an initial staff of five employees.

## **WHAT SPECIFIC ACTIVITIES WILL BE CONDUCTED?**

Serenity Falls Adult Day Center will provide adult seniors with three nutritional meals daily including snacks. Daily structured activities will involve games, arts and crafts, movies, therapeutic activities, holiday and birthday celebrations, regular field trips and other social events.

## **WHO WILL PARTICIPATE IN THE ACTIVITIES?**

Serenity Falls Adult Day Center will provide its services to senior adults who are able to travel to our center during the day by either our assisted transportation or family members drop off.

## **WHERE WILL THE BUSINESS AND ACTIVITIES BE CONDUCTED?**

Serenity Falls Adult Day Center has secured a five year lease at 6701 Highway 6 Suite 120 Missouri City, Texas 77459. To conduct all business activities.

## **WHEN WILL THE BUSINESS OPEN?**

Serenity Falls Adult Day Center plans to open for business by August 2017.

## **WHAT ARE THE HOURS OF OPERATION?**

Serenity Falls Adult Day Center hours of operation will be from 7am – 5pm; Monday – Friday. Closed on the Weekends and Holidays



QUAIL VALLEY THUNDERBIRD

Public Storage

PALMER PLANTATION  
LAKE OLYMPIA

Proposed adult  
day care -  
"shopping center  
tract"

State Farm Insurance

Excel Urgent Care

COLONY LAKES

Kelsey-Seybold Clinic

Pebble Creek At Riverstone

COLONY LAKES

**Legend**

-  City Limits Line.lyr
-  PD 11



# Planned Development District Amendment Current Conditions – Site Pictures

## Serenity Falls Adult Day Care Center (6701 Highway 6)







City of Missouri City

NOTICE OF PUBLIC HEARING

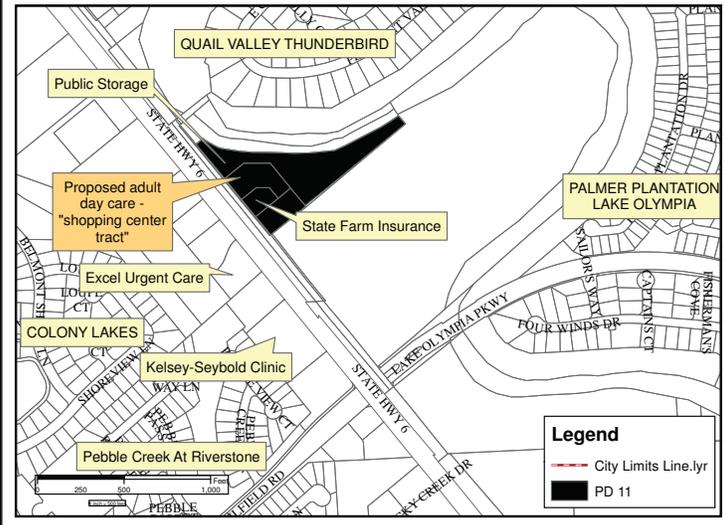
**LOCATION/DATE:** The City Council of the City of Missouri City will hold a public hearing on Monday, August 7, 2017, at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

**PURPOSE:** To receive comments for or against a request by Deshun Stanley to amend the rules and regulations of PD, Planned Development District #11 to allow for the location of an adult day care center; and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

**SITE LOCATION:** PD #11 is located north and east of the intersection of Lake Olympia Parkway and State Highway 6 and includes a Public Storage facility (6725 Highway 6); a State Farm Insurance business (6705 Highway 6); a shopping center (6701 Highway 6); and a vacant fast food restaurant building (6855 Highway 6). The proposed adult day care center would be located within a lease space within the shopping center.

**SITE LEGAL DESCRIPTION:** PD #11 can be described as being all 6.40 acres described in the final plat of Park Place, a subdivision recorded under Fort Bend County Clerk's instrument number 1176588 and slide 1776B of the plat records of 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](mailto: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: June 30, 2017**

**LOCATION/DATE:** The Planning and Zoning Commission of the City of Missouri City will hold a public hearing on Wednesday, July 12, 2017, at the City Council Chambers – 2<sup>nd</sup> Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

**PURPOSE:** To receive comments for or against a request by Deshun Stanley to amend the rules and regulations of PD, Planned Development District #11 to allow for the location of an adult day care center; and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

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# Mailing labels for adjoining property owners

TXDOT  
P O BOX 1386  
HOUSTON TX 77251-1386

MING & SHU DEVELOPMENT LLC  
1715 SHORELINE DR  
MISSOURI CITY TX 77459-1681

GOLDEN POWER CAPITAL LLC  
1715 SHORELINE DR  
MISSOURI CITY TX 77459-1681

SIENNA 325 LP  
C/O JOHNSON DEVELOPMENT  
5005 RIVERWAY DR STE 500  
HOUSTON TX 77056-2196

CCP/SHURGARD VENTURE LLC  
C/O PUBLIC STORAGE DEPT PT-TX 0383  
P O BOX 25025  
GLENDALE CA 91201-5025

FT BEND COUNTY  
301 JACKSON RM 101  
RICHMOND TX 77469-3108

FBISD  
C/O TAX OFFICE  
P O BOX 1004  
SUGAR LAND TX 77487-1004

HOUSTON RIATA PROPERTIES LLC  
6303 DRAYTON HALL  
MISSOURI CITY TX 77459-2238

ROBERT F/SUSGAN R SHAFFER  
6705 HIGHWAY 6  
MISSOURI CITY TX 77459-4119

HAPPY HOA CHUONG LLC  
7426 DRESDEN AVE  
SUGAR LAND TX 77479-2785

EJF INVESTMENTS LLC  
5359 MCCULLOCH CIR  
HOUSTON TX 77056-6618

UNITED MAX BRAZOS 489 LLC  
9889 BELLAIRD BLVD  
HOUSTON TX 77036-3467

FT BEND CO DRAINAGE DISTRICT  
P O BOX 1028  
ROSENBERG TX 77471-1028

CHEN GANGLIN/HONG WEI  
12307 OLD OAKS DR  
HOUSTON TX 77024-4909

JAMES D/JANET CONDREY  
3939 PLEASANT VALLEY DR  
MISSOURI CITY TX 77459-4113

BARBARA SCHMIDT  
3923 PLEASANT VALLEY DR  
MISSOURI CITY TX 77459-4113

EDGAR/LINDA HAIRE  
3919 PLEASANT VALLEY DR  
MISSOURI CITY TX 77459-4113

JAMES/PATRICIA HORRELL  
3915 PLEASANT VALLEY DR  
MISSOURI CITY TX 77459-4113

FOTEH HABRA FOTEH  
3911 PLEASANT VALLEY DR  
MISSOURI CITY TX 77459-4113

TSUNG LE-YUNG/JESSE J WANG  
3907 PLEASANT VALLEY DR  
MISSOURI CITY TX 77459-4113

THOMAS/MARIE GAUSSIRAN  
3903 PLEASANT VALLEY DR  
MISSOURI CITY TX 77459-4113

6615 HIGHWAY 6 LP  
6440 OILFIELD RD  
SUGAR LAND TX 77459-9658

FBISD  
16431 LEXINGTON BLVD  
SUGAR LAND TX 77479

Angela.Vasquez@fsresidential.com

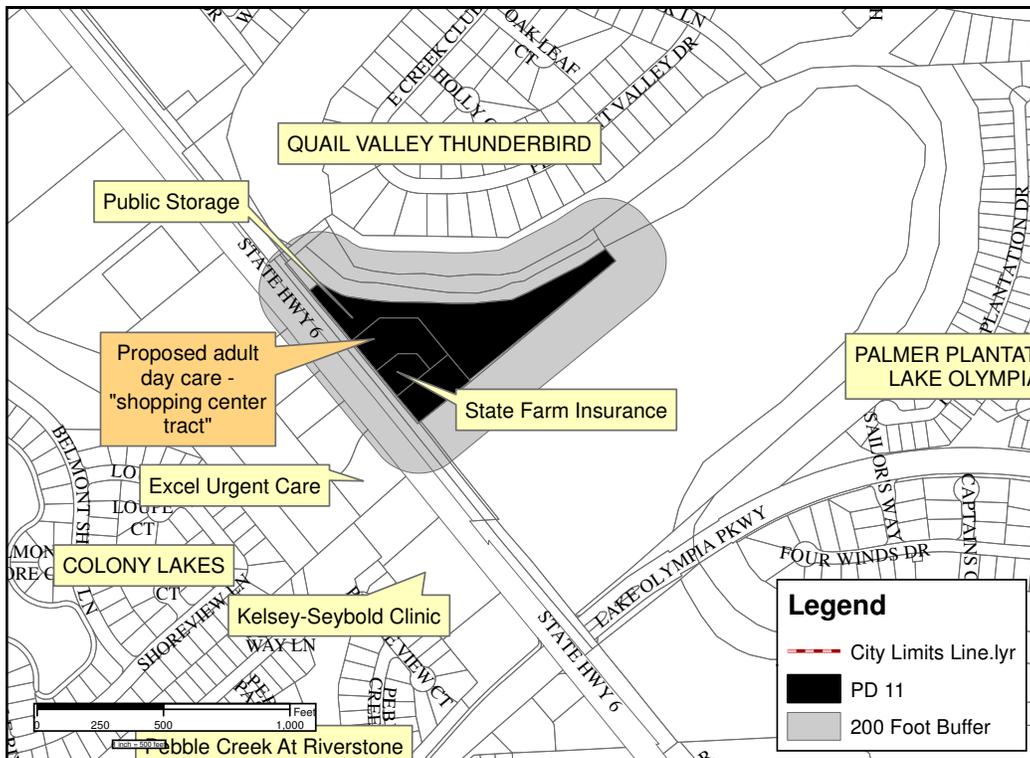
**City of Missouri City, Texas**  
**Development Services Department – Planning Division**  
**Rezoning Application Protest Letters Analysis**

**Application:** Serenity Falls Adult Day Care Center - PD Amendment  
**City Council First Reading:** August 7, 2017

**Protest Letters Received from Property Owners Within 200 Feet of Subject Site:**

Property Owner Name	Property Address OR Fort Bend County Account Number	Land Area (Square Feet) Within 200 Feet
None		
<b>Total Area Represented by Protest(s):</b>		-
Total Land Area <b>Including</b> Subject Site:		1,004,143.59
Subject Site <b>Only</b> Land Area:		278,784.00
Total Land Area <b>Only Within 200 Feet</b> of Subject Site:		725,359.59
<b>Protest(s) Percentage of Land Area Within 200 Feet:</b>		<b>0%</b>

**Note:** A total of 0 letters of support and 0 letters of protest have been received for the application request as of July 26, 2017.





# CITY COUNCIL AGENDA ITEM COVER MEMO

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 7(b)(1) Public hearing to receive comments for or against a proposed ordinance creating Reinvestment Zone No. 17 for tax abatement purposes.  
**Submitted by:** Joseph Esch, Economic Development

## SYNOPSIS

First of two readings for the creation of a tax abatement Reinvestment Zone #17

## 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

State statute requires that cities wishing to offer tax abatement to create a reinvestment zone to identify the specific geographic area in which a tax abatement agreement may be entered into. The creation of the reinvestment zone requires a public hearing and two readings in open session of the City Council. The appropriate notice has been published in the City's paper of record and this agenda item is to allow for a public hearing and the first of two readings of the ordinance.

The proposed tax abatement reinvestment zone is being created to allow the City to offer a tax abatement to a new business recruitment prospect. Should the City and the recruitment prospect reach agreement on the final terms of the tax abatement agreement that agreement will be brought forth at the second reading of the reinvestment zone.

## BUDGET/FISCAL 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

## SUPPORTING MATERIALS

1. Reinvestment Zone Ordinance

**STAFF'S RECOMMENDATION**

Staff recommends hold public hearing and first reading of the ordinance creating reinvestment zone #17

**Director Approval:** Joseph Esch, Economic Development

**Assistant City Manager/  
City Manager Approval:** Anthony J. Snipes, City Manager

**ORDINANCE NO. O-18-\_\_**

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, CREATING REINVESTMENT ZONE NO. 17 ENCOMPASSING AN APPROXIMATE 29.18-ACRE TRACT OF LAND LOCATED NORTH OF A CENTERPOINT ENERGY HOUSTON ELECTRIC LLC EASEMENT, SOUTH OF PINE MEADOW DRIVE, EAST OF ECHO CREEK DRIVE, AND WEST OF SOUTH CRAVENS IN THE CITY OF MISSOURI CITY, TEXAS; MAKING RELATED FINDINGS; AND PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

WHEREAS, the City Council of the City of Missouri City has passed and approved Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones (“Guidelines”) created in the City of Missouri City, Texas (the “City”); and

WHEREAS, pursuant to the Guidelines, the City has received a request for the creation of a reinvestment zone and tax abatement; and

WHEREAS, after proper notice, the City held a public hearing where all interested persons were given an opportunity to speak and present evidence for and against the creation of Reinvestment Zone No. 17; and

WHEREAS, written notice of the hearing was given to all taxing entities where the proposed zone is to be located; and

WHEREAS, the City Council has determined, based on evidence presented, that the improvements sought to be located in proposed Reinvestment Zone No. 17 are feasible and practical and would be a benefit to the land to be included in the Zone and to the City after the expiration of the tax abatement agreement; and

WHEREAS, the creation of Reinvestment Zone No. 17 will be reasonably likely, as a result of its creation, to attract major investment into the Zone that would be a benefit to the property located therein and that will contribute to the economic development of the 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 found to be true and correct, and are made a part of this Ordinance for all purposes.

Section 2. The City Council of the City of Missouri City conducted the public hearing on the creation of Reinvestment Zone No. 17 and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. That Reinvestment Zone No. 17 is hereby created for the purpose of encouraging economic development through tax abatement. Reinvestment Zone No. 17

can be described as being all 29.18 acres of the real property described in Exhibit "A" and depicted in Exhibit "A-1", both of which are attached hereto and made a part hereof. Exhibit "A-1" is for reference purposes only. In the event Exhibit "A-1" conflicts with Exhibit "A", the recorded plat shall prevail.

Section 4. This designation shall be effective for five (5) years from the date of final passage of this Ordinance and may be renewed for periods not to exceed five (5) years.

Section 5. *Repeal.* All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict only.

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, whether there be one or more parts.

PASSED and APPROVED on first reading this \_\_ day of \_\_\_\_\_, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this \_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

## Exhibit "A"

A TRACT OR PARCEL CONTAINING 29.176 ACRES OR 1,270,904 SQUARE FEET OF LAND SITUATED IN THE B.B.B. & C. RR. CO. SURVEY, ABSTRACT NO. 116, CITY OF MISSOURI CITY, FORT BEND COUNTY, TEXAS, BEING OUT OF AND A PART OF A CALLED 64.8768 ACRE TRACT, CONVEYED TO GUS MULE, ET AL AS RECORDED UNDER VOLUME (VOL.) 2322 PAGE (PG.) 1748 FORT BEND COUNTY DEED RECORDS (F.B.C.D.R.), WITH SAID 29.176 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

**BEGINNING** AT A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE NORTHWEST LINE OF THE SAID CALLED 64.8768 ACRE TRACT, AND ON THE SOUTHWEST RIGHT-OF-WAY (R.O.W.) LINE OF SOUTH CRAVENS ROAD (BASED ON A VARIABLE WIDTH) AS RECORDED UNDER VOL. 191, PG. 556A F.B.C.D.R., SET MARKING THE MOST EASTERLY CORNER OF PINE MEADOW (BEFORE R.O.W. DEDICATION) MAP OR PLAT THEREOF RECORDED UNDER VOL. 21 PG. 23 F.B.C.P.R. AND THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND (BENT) 5/8 INCH IRON ROD BEARS, NORTH 49 DEG. 56 MIN. EAST, 0.46 FEET;

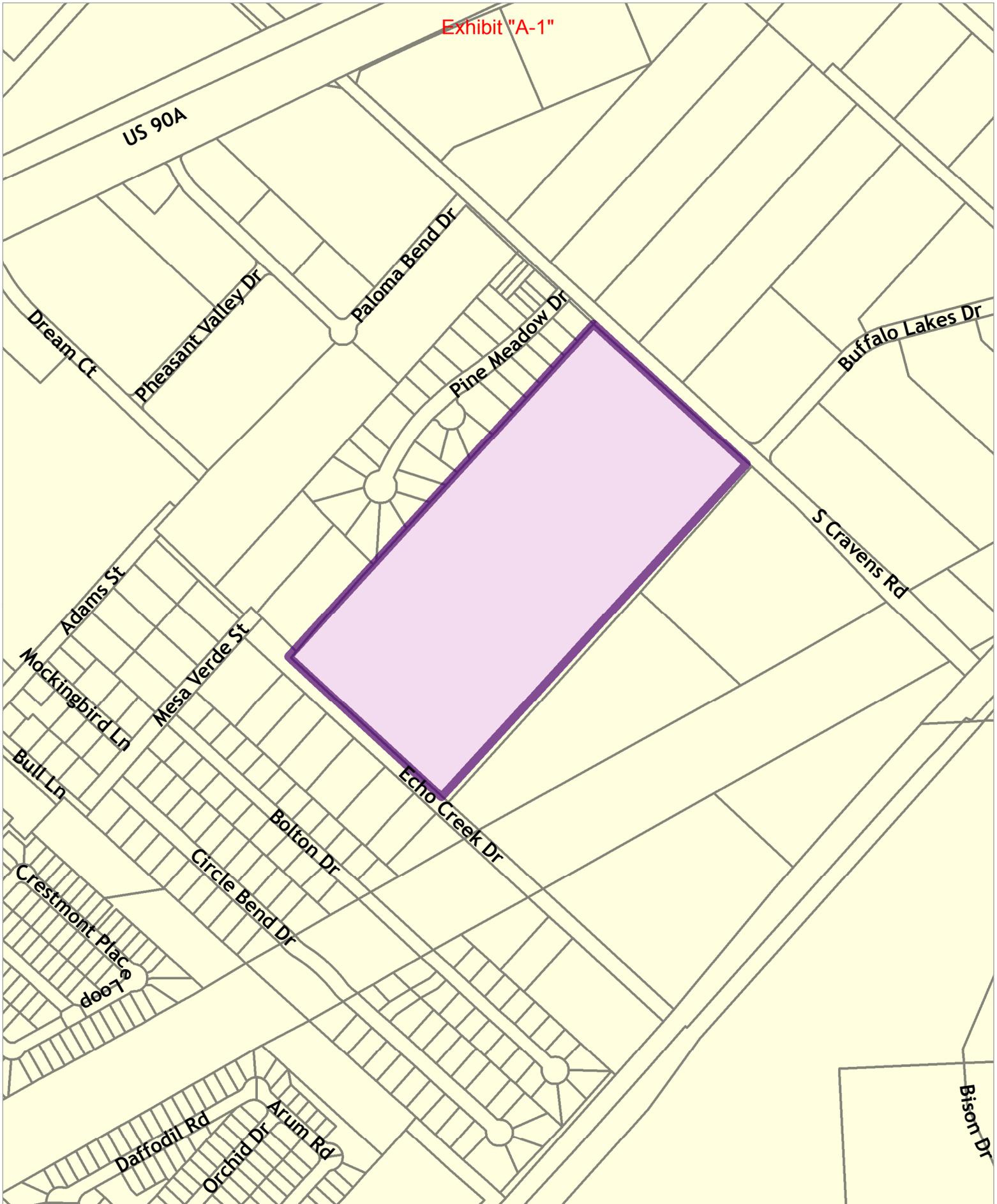
**THENCE**, SOUTH 47 DEG. 29 MIN. 39 SEC. EAST, ALONG SOUTHWEST R.O.W. LINE OF SAID SOUTH CRAVENS ROAD, A DISTANCE OF 764.51 FEET, TO THE MOST NORTHERLY CORNER OF A CALLED 26.2837 ACRE TRACT CONVEYED TO GIOK MOY TJIANG AS RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NO. (F.B.C.C.F.) 2015034424 AND THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND (BENT) 3/4 INCH IRON ROD BEARS, SOUTH 83 DEG. 15 MIN. WEST, 0.28 FEET, AND A 1/2 INCH IRON PIPE BEARS SOUTH 47 DEG. 29 MIN. 39 SEC. EAST, 1049.43 FEET;

**THENCE**, SOUTH 42 DEG. 27 MIN. 53 SEC. WEST, DEPARTING THE SOUTHWEST R.O.W. LINE OF SAID SOUTH CRAVENS ROAD, ALONG THE NORTHWEST LINE OF SAID CALLED 26.2837 ACRE TRACT, DISTANCE OF 1662.51 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE NORTHEAST R.O.W. LINE OF ECHO CREEK DRIVE (BASED ON A WIDTH OF 60 FEET) AS RECORDED UNDER VOL. 434, PG. 173 AND PG. 177 F.B.C.D.R. MARKING THE MOST WESTERLY CORNER OF SAID CALLED 26.2837 ACRE TRACT AND THE MOST SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, NORTH 47 DEG. 28 MIN. 31 SEC. WEST, ALONG THE NORTHEAST R.O.W. LINE OF SAID ECHO CREEK DRIVE, A DISTANCE OF 764.51 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE MOST SOUTHERLY CORNER OF A CALLED 2.122 ACRE TRACT OF LAND CONVEYED TO LOLA MAE DAVIS AS RECORDED UNDER F.B.C.C.F. NO. 2005073807 AND THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, NORTH 42 DEG. 27 MIN. 53 SEC. EAST, DEPARTING THE SOUTHWEST R.O.W. LINE OF SAID ECHO CREEK DRIVE AND ALONG THE NORTHWEST LINE OF THE HEREIN DESCRIBED TRACT, COMMON WITH THE SOUTHEAST LINE OF SAID CALLED 2.122 ACRE TRACT, PASSING AT A DISTANCE OF 446.19 FEET, A 1 INCH IRON PIPE FOUND MARKING THE MOST EASTERLY CORNER OF SAID CALLED 2.122 ACRE TRACT AND THE MOST SOUTHERLY CORNER OF LOT 14, BLOCK 1, OF AFORESAID PINE MEADOW SUBDIVISION, CONTINUING A TOTAL DISTANCE OF 1662.25 FEET TO THE **PLACE OF BEGINNING** AND CONTAINING 29.176 ACRES OR 1,270,904 SQUARE FEET OF LAND.

Exhibit "A-1"



Map By:  
GIS Division  
January 2018



29.176 ac Tract

Legend

-  Tract
-  Parcel
-  City Limits



0 200 400 800 1,200 Feet

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.



# CITY COUNCIL AGENDA ITEM COVER MEMO

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 7(b)(2) Public hearing to receive comments for or against a proposed ordinance creating Reinvestment Zone No. 18 for tax abatement purposes;  
**Submitted by:** Joseph Esch, Economic Development

## SYNOPSIS

First of two readings for the creation of a tax abatement Reinvestment Zone #18

## 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

State statute requires that cities wishing to offer tax abatement to create a reinvestment zone to identify the specific geographic area in which a tax abatement agreement may be entered into. The creation of the reinvestment zone requires a public hearing and two readings in open session of the City Council. The appropriate notice has been published in the City's paper of record and this agenda item is to allow for a public hearing and the first of two readings of the ordinance.

The proposed tax abatement reinvestment zone is being created to allow the City to offer a tax abatement to a new business recruitment prospect. Should the City and the recruitment prospect reach agreement on the final terms of the tax abatement agreement that agreement will be brought forth at the second reading of the reinvestment zone.

## BUDGET/FISCAL 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

## SUPPORTING MATERIALS

1. Reinvestment Zone Ordinance

**STAFF'S RECOMMENDATION**

Staff recommends hold public hearing and first reading of the ordinance creating reinvestment zone #18

**Director Approval:** Joseph Esch, Economic Development

**Assistant City Manager/  
City Manager Approval:** Anthony J. Snipes, City Manager

**ORDINANCE NO. O-18-\_\_**

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, CREATING REINVESTMENT ZONE NO. 18 ENCOMPASSING AN APPROXIMATE 16.82 ACRE TRACT OF LAND LOCATED NORTH OF WILLOW OAK DRIVE, SOUTH OF BUFFALO RUN, WEST OF FAIRWAY PINES DRIVE, AND EAST OF WILLOW WISP DRIVE IN THE CITY OF MISSOURI CITY, TEXAS; MAKING RELATED FINDINGS; AND PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

WHEREAS, the City Council of the City of Missouri City (the "City Council") has passed and approved Tax Abatement Guidelines and Criteria ("Guidelines") for granting tax abatement in reinvestment zones created in the City of Missouri City, Texas (the "City"); and

WHEREAS, pursuant to the Guidelines, the City has received a request for the creation of a reinvestment zone and tax abatement; and

WHEREAS, after proper notice, the City held a public hearing where all interested persons were given an opportunity to speak and present evidence for and against the creation of Reinvestment Zone No. 18; and

WHEREAS, written notice of the hearing was given to all taxing entities where the proposed zone is to be located; and

WHEREAS, the City Council has determined, based on evidence presented, that the improvements sought to be located in proposed Reinvestment Zone No. 18 are feasible and practical and would be a benefit to the land to be included in the Zone and to the City after the expiration of the tax abatement agreement; and

WHEREAS, the creation of Reinvestment Zone No. 18 will be reasonably likely, as a result of its creation, to contribute to the retention or expansion of primary employment or to attract major investment into the Zone that would be a benefit to the property located therein and that will contribute to the economic development of the 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 found to be true and correct, and are made a part of this Ordinance for all purposes.

Section 2. The City Council conducted the public hearing on the creation of Reinvestment Zone No. 18 and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. That Reinvestment Zone No. 18 is hereby created for the purpose of encouraging economic development through tax abatement. Reinvestment Zone No. 18 can be described as being all 4.0967 acres of Reserve 18, all 4.1589 acres of Reserve 19, and all 8.567 acres of Reserve 20, for a total of approximately 16.82 acres described in the Final Plat of Lakeview Business Park, a subdivision recorded under Fort Bend County Clerk's instrument number 20080032 of the Plat Records of Fort Bend County, and is depicted in Exhibit "A," attached hereto and made a part hereof for all purposes. Exhibit "A" shall be for reference purposes only. In the event Exhibit "A" conflicts with the recorded plat, the recorded plat shall prevail.

Section 4. This designation shall be effective for five (5) years from the date of final passage of this Ordinance and may be renewed for periods not to exceed five (5) years.

Section 5. *Repeal.* All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict only.

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 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, whether there be one or more parts.

PASSED and APPROVED on first reading this \_\_\_\_\_ day of February, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this \_\_\_\_\_ day of February, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

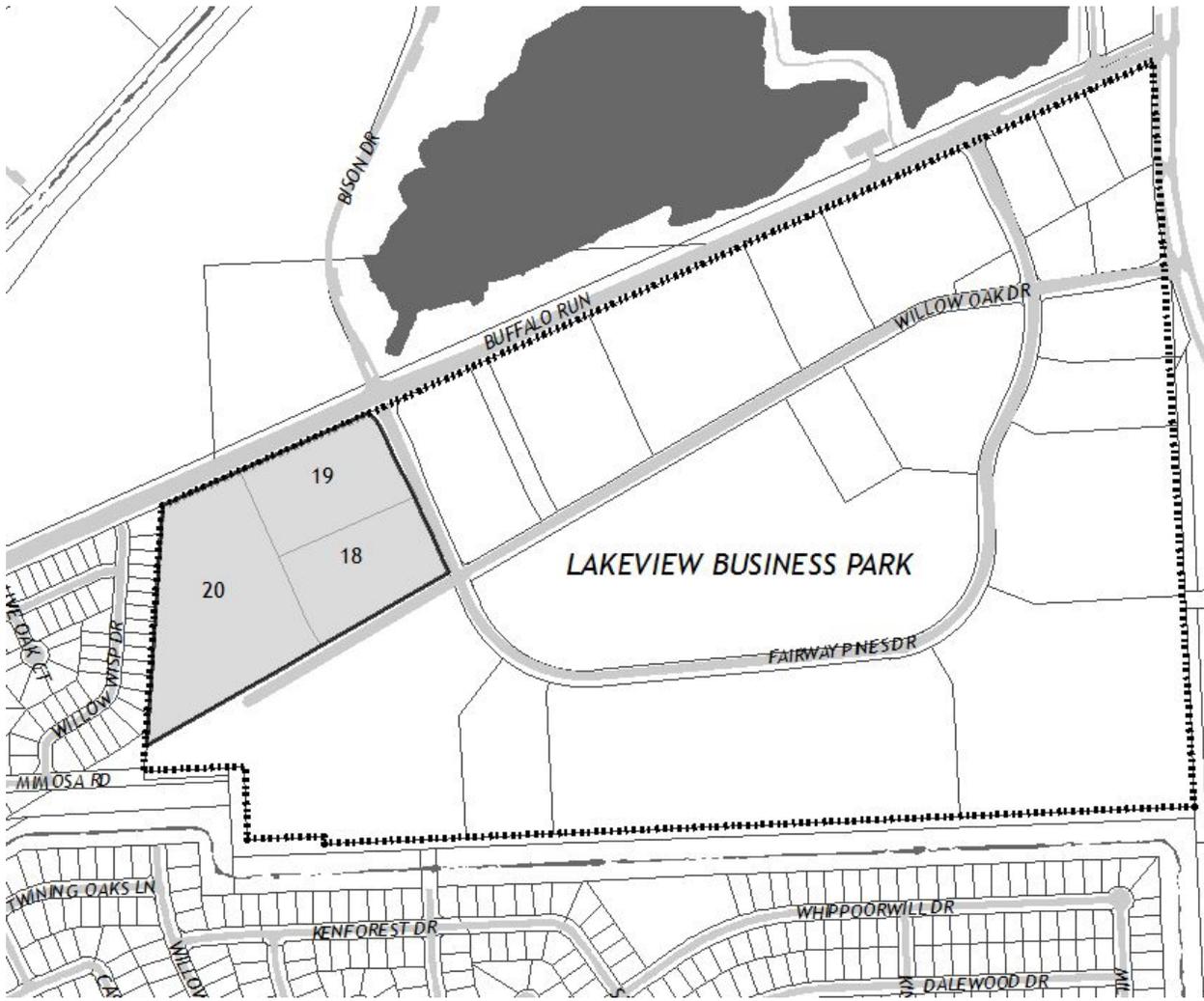
ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

EXHIBIT "A"





**Council Agenda Item  
February 5, 2018**

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



## CITY COUNCIL AGENDA ITEM COVER MEMO

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 9(a) Authorize City Manager to execute a contract for the purchase Rifles and Optics for Police and commissioned personnel the Fire Department  
**Submitted by:** Mike Berezin, Police Chief  
Eugene Campbell, Fire Chief

### SYNOPSIS

The Departments of Police and Fire request authorization for the City Manager to enter into a contract with Radical Fire Arms and Clyde Armory for the provision of rifles and optics.

### STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

### BACKGROUND

Commissioned City personnel in both Police and Fire routinely require new and/or updated rifles and optics in order to carry out their duties.

The Purchasing Department advertised for the provision of such items to either department under Invitation to Bid # 18-134. This advertisement was posted on Onvia / Demandstar and the City website. Purchasing received eight responses and, based on their response being the lowest and best bid for the City, have chosen Radical Fire Arms for rifles and Clyde Armory for Optics and Flashlights.

This program provides for the city to be reimbursed each pay period (24) for one year from each officer. Therefore, there is no cost to the city. The initial funding (4-5 years ago) was police donation monies.

### BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY18 Revised Budget	FY18 Funds Available	Amount Requested
Police Donations	231-56019-13-120	Donation Purchases	52,000	44,500	44,500

**Purchasing Review:** Sheila A. Smith, C.P.M., A.P.P.  
**Financial/Budget Review:** Edena J. Atmore, CPA, CPFO, CPM

*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. Tabulation Sheet

**STAFF'S RECOMMENDATION**

Staff recommends approval of this purchase and to authorize the City Manager to execute a contract for the purchase of Rifles and Optics

**Director Approval:** Michael A. Berezin, Chief of Police

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

RFQ# 18-134  
 Title Rifles/Optics  
 Bid Tabulation

Option #1

Option #2

Company	Heritage Jewelry and Loan		Heritage Jewelry and Loan		Clyde Armory		GT Distributors		Lawmen's & Shooters'	
Contact	James Crawford		James Crawford		Adam Smith		David Curtis		Crystal Mazzoli	
City/St/Zip	Sugar Land, TX 77478		Sugar Land, TX 77478		Athans, GA		Austin, TX		Vero Beach Fl	
Phone	281-265-6747		281-265-6747		706-549-1842		800-252-8310		771-569-8700	
Email	<a href="mailto:info@heritagejewelryandloan.com">info@heritagejewelryandloan.com</a>		<a href="mailto:info@heritagejewelryandloan.com">info@heritagejewelryandloan.com</a>		<a href="mailto:adam@clydearmory.com">adam@clydearmory.com</a>		<a href="mailto:sales@gt.com">sales@gt.com</a>		<a href="mailto:bids@lawmans.net">bids@lawmans.net</a>	
	Unit Cost	Brand	Unit Cost	Brand	Unit Cost	Brand	Unit Cost	Brand	Unit Cost	Brand
AR-15	845.00	Aero Precision M4E1	1082.82	Sig Sauer M400 Elite	1152.47	Colt LE6933-EPR	1398.94	Bravo Reece-16	No Bid	
Optics	\$409.00	Sig Saure Romeo 4T	\$409.00	Sig Saure Romeo 4T	\$384.19	AimPoint 12841	\$398.94	AimPoint Pro	\$411.15	AimPoint 12841
FlashLight	\$137.10	Inforce Multifunction WML	\$137.10	Inforce Multifunction WML	\$87.26	StreamLight 88059	\$85.74	Streamlight 88059	\$98.35	StreamLight 88059
<b>Total per Rifle</b>	\$1,391.10		\$1,628.92		\$1,623.92		\$1,883.62			
<b>Days to Deliver</b>	45 Days		45 Days		30/Guns		30 Days		30-60 Days	



# CITY COUNCIL AGENDA ITEM COVER MEMO

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 9(b) Consider approving a parkland dedication for the Hagerson Road Tract subdivision  
**Submitted by:** Jason Mangum, Director, Parks and Recreation  
Otis Spriggs, AICP, Director, Development Services

## SYNOPSIS

Hagerson Road Tract is a proposed single family residential subdivision. In accordance with Section 82-174 of the City's Code of Ordinances, the developer is proposing to provide a cash payment in lieu of parkland.

## STRATEGIC PLAN 2019 GOALS ADDRESSED

- Have quality development through buildout

## BACKGROUND

The developer is proposing parkland and not cash dedication. The dedication ordinance requires a total of 3.04 acres of parkland; however, the developer is proposing land dedication of 10 acres to the City. The site falls within Park Zone 1.

Staff recommended accepting the developer's proposal parkland dedication. The Parks and Recreation Board considered the applicant's proposal at their December, 2017 meeting and recommended by unanimous vote that cash in lieu of parkland be accepted. The Planning and Zoning Commission considered the proposal at its January 10, 2018 meeting and forwards a positive recommendation to accept the parkland dedication proposal.

## BUDGET ANALYSIS

Funding Source	Account Number	Project Code/Name	FY2018 Funds Budgeted	FY2018 Funds Available	Amount Requested
Parkland Revenues	N/A	Parkland Zone 11	N/A	N/A	*N/A

\*The developer is proposing parkland and not a cash dedication. The dedication ordinance requires a total of 3.04 acres of parkland; however, the developer is proposing land dedication of 10 acres to the City. The site falls within Park Zone 11.

**Purchasing Review:** N/A  
**Financial/Budget Review:** LaToya Jasper, CPA, CGFO, CPM

*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. Hagerson Rd. Tract request letter & final plat
2. Parks and Recreation Board meeting minutes (December 7, 2017)
3. Draft Planning and Zoning Commission meeting minutes (January 10, 2018)
4. Planning and Zoning Commission final report
5. Park Zones map

## STAFF'S RECOMMENDATION

Approve the parkland dedication proposal for the Hagerson Rd. Tract subdivision.

**Director Approval:**

Otis Spriggs, AICP, Development Services  
Jason S. Mangum, CPRP, Parks and Recreation

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

Scott R. Elmer, P.E.



December 17, 2016

Jason Mangum  
Director  
Parks and Recreation  
2701 Cypress Point Dr.  
Missouri City, TX 77459

RE: Hagerson Rd Tract Parkland Dedication

Dear Jason,

On behalf of our client, BGE| Kerry R. Gilbert & Associates is submitting a parkland dedication proposal for the 97.8 Acre Hagerson Road Tract. The project is located north of Hagerson Rd, south of Pecan Manor and west of Riverstone Edgewood Section 2. The development will have approximately 304 residential lots, requiring a total of 3.4 acres of parkland or payment of the applicable parkland fees (\$1,400 per lot).

To meet the required parkland dedication requirement, the developer proposes the dedication of a ten (10) acre tract of land to the City of Missouri City. The proposed parkland is located south of the levee and is adjacent to the future single-family development. It will have frontage and access along Hagerson Rd. The area proposed parkland is covered by mature trees and foliage and is near the shore of the Brazos River. This proposed ten (10) dedication will be used in lieu of parkland fees and/or public parkland within the development.

Within the development, there will be amenitized detention and open space areas. These amenities will ensure optimal recreational opportunities for the neighborhood and will provide access to the proposed parkland south of the development.

Enclosed you will find the following exhibits:

- Exhibit showing location of proposed parkland to be dedicated to Missouri City

We are requesting this application to be reviewed by staff and the Parks Board at the next meeting. Please contact me if any further information is necessary.

Sincerely,

  
Kathryn Edwards

Enclosures



a parkland exhibit for  
**HAGERSTON RD. TRACT**  
 ± 98.0 ACRES OF LAND  
 prepared for  
**TAYLOR MORRISON**



— Land Planning Consultants —  
 23501 Cinco Ranch Blvd., Suite A-250  
 Katy, Texas 77404  
 7000 North Mopac, Suite 330  
 Austin, TX 78731  
 2595 Dallas Parkway, Suite 204  
 Frisco, TX 75034  
 Tel: 281-579-0340



NOVEMBER 15, 2017  
 KGA #2638A

THIS GENERAL PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF MISSOURI CITY SUBDIVISION AND ZONING ORDINANCES IN EFFECT AT THE TIME THIS GENERAL PLAN WAS PREPARED ALONG WITH ANY VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCES WHICH ARE SUBSEQUENTLY GRANTED BY THE MISSOURI CITY PLANNING COMMISSION AND/OR THE CITY COUNCIL. THIS GENERAL PLAN WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER BGE | KERRY R. GILBERT & ASSOCIATES, INC. NOR ANY OF ITS OFFICERS, DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, CONCERNING THE DESIGN, LOCATION, QUALITY OR CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE GENERAL PLAN.



## Parks Board 2017-2018

Jason Mangum, Director of Parks & Recreation  
Randy Troxell, Assistant Director of Parks & Recreation  
Shane Mize, Recreation Superintendent  
Barry Hamilton, Parks Superintendent  
Pamela Andrews, Board Member  
J.R. Atkins, Board Member  
Diane Giltner, Board Member  
Don Johnson, Board Member  
Thomasine Johnson, Board Member

Adrian Matteucci, Board Member  
Sharman McGilbert, Vice-Chair  
Brian Merchant, Board Member  
Loveless Mitchell, Board Member  
Victoria Porter, Board Member  
Rafik Sandford, Board Member  
Buddy Snyder, Board Member  
Llarance Turner, Chairman

# PARKS BOARD MEETING MINUTES DECEMBER 7, 2017 7:00 O'CLOCK P.M. CITY COUNCIL CHAMBER

## ATTENDEES

**Parks Board members in attendance:** Pamela Andrews, Diane Giltner, Don Johnson, Vice-Chair Sharman McGilbert, Adrian Matteucci, Brian Merchant, Victoria Porter, Buddy Snyder and Chairman Llarance Turner.

**Staff in attendance:** Director of Parks & Recreation Jason Mangum, Recreation Superintendent Shane Mize, Parks Superintendent Barry Hamilton, First Assistant City Attorney Kimeu, Recreation Specialist Julia Montgomery, and Administrative Assistant Tricia Yurcak.

**Others in attendance:** Jonathan White and Kathryn Edwards.

## 4. CONSIDER THE APPROVAL OF THE PARKLAND DEDICATION FOR HAGERSON ROAD TRACT

Chairman Turner introduced the agenda item. The developer submitted a parkland dedication proposal for Hagerson Road Tract, a development of 97.8 acres and approximately 304 residential lots. Chairman Turner stated the parkland dedication ordinance requires a total of 3.04 acres of parkland, and the developer is proposing land dedication of 10 acres to the City. 3.04 acres is a correction from the original proposal letter that stated 3.4 acres.

Chairman Turner stated the parkland was in a floodway but was a beautiful tract with trees and open space. The City would count the land as a third, or 3.333 acres of land, pursuant to the parkland dedication ordinance, even though there is a total of 10 acres being proposed to be dedicated.

Board member Andrews asked about the floodway, and if it was confirmed that the parkland would flood. Director Mangum stated that the parkland would flood but the neighborhood was not in a floodway. He further stated that the parkland is in an area where there is not a lot of public parkland.

Board member Porter asked what was being proposed to put on the parkland. Ms. Kathryn Edwards of Kerry R. Gilbert & Associates stated that public parkland would be dedicated, and therefore it would be developed however the City determines.

Board member Snyder asked about access, as it appeared there was only a single access road to 122 homes. Ms. Edwards stated the parkland has access off of Hagerson Road and the road continues. Director Mangum stated it is the City's responsibility to provide access from Hagerson onto the parkland when the park is developed.

Board member Matteucci asked about the lake retention. Ms. Edwards stated part of it is an existing lake right at the entrance, which will be amenitized. Board member Matteucci asked if there would be sidewalks. Ms. Edwards stated there will

likely be sidewalks along Hagerson to provide access to the public. Director Mangum stated at this time, the seller is only willing to sell 10 acres on the other side of the levy.

Board member D. Johnson made a motion to make a positive recommendation accepting the parkland dedication proposal. Board member Giltner seconded the motion.

**The motion passed.**

Ayes: Board members Andrews, Giltner, D. Johnson, Matteucci, McGilbert, Merchant, Porter and Turner

Nays: Board member Snyder



**DRAFT MINUTES  
PLANNING AND ZONING COMMISSION  
CITY OF MISSOURI CITY, TEXAS  
January 10, 2018**

**1. CALL TO ORDER**

The Notice of Meeting and Agenda having been duly posted in accordance with legal requirements and a quorum being present, the meeting was called to order by Chairman Brown-Marshall, at 7:00 PM.

**2. ROLL CALL**

**Commissioners Present:**

Sonya Brown-Marshall	Courtney Johnson Rose
Reginald Pearson	Hugh Brightwell
Douglas Parker	Len Goff, Jr.
Tim Haney	John O'Malley

**Commissioners Absent:** Commissioner Anand

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

**A. PARKLAND DEDICATIONS**

Consider adoption of a recommendation to City Council regarding a Parkland Dedication proposal for Hagerson Road Tract.

Mr. Thomas White presented this item stating that on December 7, 2017, the Parks and Recreation Board recommended the acceptance of the Hagerson Road Tract.

Staff recommends the adoption of the Hagerson Road Tract to City Council as a proposed Parkland Dedication.

Kathryn Edwards with BGE Kerry R. Gilbert and Associates, land planning consultants for the Hagerson Road Tract, addressed the concerns of access to the parkland. Access is available on Hagerson Road and continues further west.

**Motion:** The Planning and Zoning Commission adopt this as its final report and forward to City Council with a positive recommendation

**Made By:** Commissioner Haney  
**Second:** Commissioner Pearson

**AYES:** Chairman Brown-Marshall, Commissioner Rose,  
Commissioner Goff, Commissioner Pearson,  
Commissioner Brightwell, Commissioner Haney,  
Commissioner O'Malley, Commissioner Parker

**NAYS:** None

**ABSTENTIONS:** None

The motion passed.

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Egima Brown



**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

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**AGENDA DATE:** January 10, 2018  
**AGENDA ITEM SUBJECT:** Hagerson Road Tract- parkland dedication  
**AGENDA ITEM NUMBER:** 9.A  
**PROJECT PLANNER:** **Thomas K. White Jr.**, Planner II  
**APPROVAL:** **Otis T. Spriggs, AICP**, Director, Development Services

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**PERMIT NUMBER:** 1704074  
**PROPERTY ID:** 0054-00-000-4200-907, 0054-00-000-4300-907  
**LOCATION:** West of LJ Parkway, North of Hagerson Rd.  
**ZONING DISTRICT DESIGNATION:** ETJ, Extraterritorial Jurisdiction  
**DEVELOPMENT AGREEMENT/STRATEGIC PARTNERSHIP:** Strategic Partnership Agreement: MUD No. 149

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**RECOMMENDED ACTION:**

At the December 7, 2017 meeting, the Parks and Recreation Board recommended acceptance of 10 acres for dedication of property.

The Planning and Zoning Commission should adopt the following as its Final Report and Forward it to City Council with a positive recommendation for consideration and adoption thereof, and following the requirements of Subdivision Ordinance Section 82-174e regarding the dedication of land for neighborhood parks; reservation of land for public purposes.

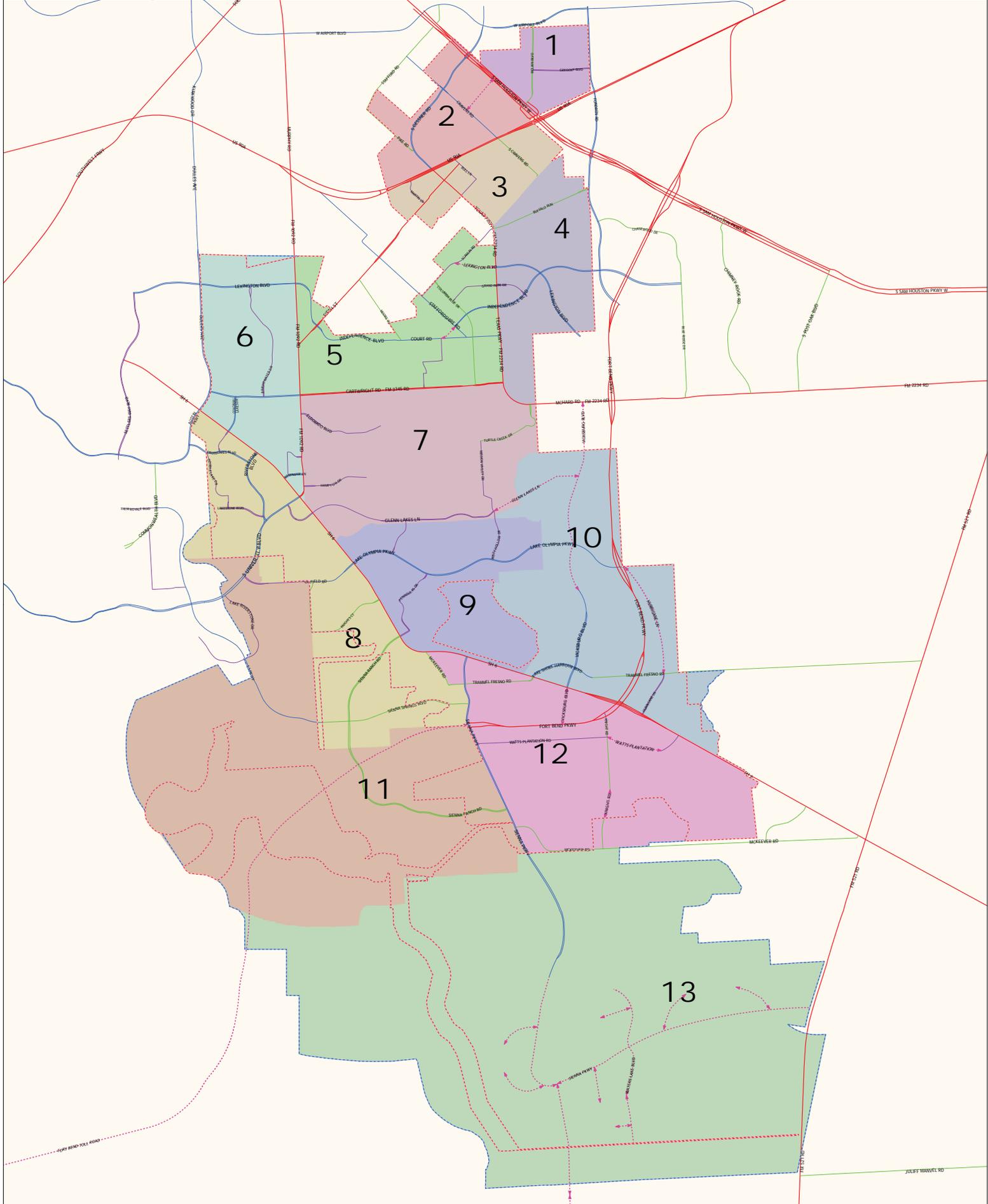
**APPLICANT'S PROPOSAL:**

Ms. Kathryn Edwards of Kerry R. Gilbert & Associates developer requests the parkland dedication of 10 acres but the City would count this land as a third, or 3.333 acres in pursuant to the parkland dedication ordinance. The Hagerson Tract is a 98 acre development consisting 304 potential lots west of LJ Parkway and North of Hagerson Rd. A conceptual plan was approved on December 13, 2017 by the Planning and Zoning Commission.

**PARKS BOARD ACTION:**

The Parks and Recreation Board considered the applicant's proposal at their December 7, 2017 meeting. The Board recommended acceptance of the dedication of property.

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



Map By:  
GIS Division  
December 2014



# Park Zones

- | Legend             |                             |             |
|--------------------|-----------------------------|-------------|
| Major Thoroughfare | Minor Arterial              | City Limits |
| State              | Major Collector             | ETJ         |
| Major Arterial     | Proposed Major Thoroughfare |             |



0 2,000 4,000 8,000 12,000 Feet

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.



**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 9(c) Authorize City Manager to execute a contract for the 2018 Salary and Benefits Market Study  
**Submitted by:** Edward G. Williams, PhD., Director of Human Resources

**SYNOPSIS**

This is a request to authorize the City Manager to enter into a contractual agreement, for consulting services, with Arthur J. Gallagher Benefits Services, Inc. for the provision of a Salary and Benefits Market Compensation Study.

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

- Develop a High Performance City team

**BACKGROUND**

Consistent with the City's Compensation Philosophy of providing market competitive wages and benefits to Exempt, Non-Exempt, Police & Fire employees. The City conducts market studies to determine if the City's Total Rewards system of compensating employees is consistent, competitive and accounts for internal equity as a retention strategy.

For the past ten (10) years, the City has utilized the services of one provider for this purpose. To ensure the overall accuracy, validity and continued reliability, and in accord with state laws, the City issued a Request to Proposals to conduct a Market Benefits & Compensation Study. The Purchasing Division of the Financial Services Department received five (5) responses to Request for Proposals # 18-109, which it advertised on Onvia/Demandstar and the City website.

A Team, representing individuals from the City's Leadership Team reviewed the responses and identified Gallagher Benefits Services as the top provider for the purpose outlined in the RFP. The Team based this selection on what appears to be the ability and interest by the provider to deliver the service as outlined in the scope of service, according to the established timeline and in accord with the approved budget.

**BUDGET/FISCAL ANALYSIS**

Funding Source	Account Number	Project Code/Name	FY18 Revised Budget	FY18 Funds Available	Amount Requested
General Fund Revenue	101-53504-98-999	Market Salary & Benefits Study	\$800,000	\$200,000	\$98,500

**Purchasing Review:** Sheila A Smith, C.P.M., A.P.P.  
**Financial/Budget Review:** LaToya Jasper, CPA, CGFO, CPM

*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. RFP # 18-109
2. Selected Bid – Gallagher Benefits Services, Inc.
3. Best & Final Offer

**STAFF'S RECOMMENDATION**

Staff recommends approval of this purchase and to authorize the City Manager to execute a contract for the Salary and Benefits Compensation Study.

**Director Approval:** Edward Williams, Human Resources Director

**Assistant City Manager/  
City Manager Approval:** Anthony J. Snipes, City Manager



Request for Proposal  
**MARKET SALARY AND BENEFITS STUDY**  
**RFP # 18-109**

**NIGP: 918-40**

ISSUED BY THE PURCHASING OFFICE OF THE CITY OF MISSOURI CITY, TEXAS  
for

Sealed proposals, subject to the terms and conditions of this Request for Proposals (“RFP”) the above referenced will be received by the Purchasing Manager of the City of Missouri City, at City Hall, 1522 Texas Parkway, Missouri City, Texas 77489 until the proposal closing time at which time the proposals will be opened and Proposer Names only will be publicly read in the Council Chambers on the second floor of City Hall. Responses received after the specified time will be returned unopened.

SUBMIT PROPOSALS TO: **City of Missouri City, Sealed Bid Box,  
1522 Texas Parkway, Missouri City, TX 77489**

SUBMIT NO LATER THAN: **2:00 p.m. Local Time, December 12, 2017**

MARK OUTSIDE OF PACKAGE: **“RFP # 18-109 Market Salary and Benefits Study”**



## SECTION I GENERAL INFORMATION

Note: References to the terms “bid” and “respondent” shall also mean “proposal” and “respondent”.

### Definitions:

- Respondent – the person or entity that submits a Submittal in response to the RFP.
- Proposal – the documents required to be submitted as described herein.

### **A. SCOPE**

The City of Missouri City hereby solicits proposals from qualified consulting firms, experienced in market compensation & benefits studies. The City desires to secure the services of a consulting firm who will review the City’s current compensation plan, and analyze external market competitiveness and internal equity, to determine market compensation and benefits for each position utilizing the City’s current pay plan. The City of Missouri City expects the consultant to use current census data and make recommendations for adjustments to pay ranges as dictated by the City’s Compensation Philosophy.

The City of Missouri City will afford all prospective consultants full opportunity to submit statements of qualifications in response to this request and will not discriminate against anyone on the grounds of age, ancestry, color, race, gender, genetic information, marital status, military and veteran status, religion, national origin, sex, religious creed, or disability in consideration for an award of any contract it enters into pursuant to this notice.

This Request for Proposal (RFP) is an invitation by the City of Missouri City for consultants to submit an offer, which may be subject to subsequent discussion. Submittal of a proposal does not create any right or expectation of a Contract with the City of Missouri City.

The City of Missouri City reserves the right to reject any or all proposals and the City further declares that it will incur no financial obligations for any costs by any firm in preparation of their proposal..

The responses received will be evaluated and the City may then enter negotiations with the selected respondent with the objective of entering into contract for services at a mutually agreeable cost. All costs involved with preparing a submittal, including any interview travel expenses, are the responsibility of the respondent.

Location: Within the City of Missouri City, Fort Bend County, Texas jurisdiction.



## **B. GUIDELINES**

Each respondent by submission of a response to this RFP:

1. Understands the City reserves the right to reject any or all proposals if it determines that select proposals are not responsive to the RFP. The City reserves the right to reconsider any proposal submitted at any phase of the procurement. It also reserves the right to meet with select respondents at any time to gather additional information. Furthermore, the City reserves the right to delete or add scope up until the final contract execution.
2. Understands that this RFP does not commit the City to award nor does it constitute an offer of employment or a contract for services. Costs incurred in the submission of a proposal, or in making necessary studies or designs for the preparation thereof, are the sole responsibility of the Respondent. Further, no reimbursable cost may be incurred in the anticipation of an award. Proposals containing elaborate artwork, expensive paper and binding, and expensive visual or other presentations are neither necessary nor desired.
3. Understands that all inquiries concerning this procurement after proposals are submitted shall be directed ONLY to the City Purchasing Manager. Attempts to contact any members of the City Council or other employee of the City to influence the procurement decisions may lead to immediate elimination from further considerations.
4. Waives any claims it has or may have against the consultants, and their respective employees, officers, members, directors and partners, and the City, its employees, officers, agents, representatives, and the members of City's governing body, connected with or arising out of this RFP, including the administration of the RFP and the RFP evaluation. Submission of a proposal indicates respondent's acceptance of the evaluation technique and respondent's recognition that some subjective judgments must be made by the City during the evaluation of proposals. Without limiting the generality of the forgoing, each respondent acknowledges that the basis or selection and the evaluations shall be made public after the contract is awarded, and waives any claim it has or may have against the above-named person, due to information contained in such evaluations.

## **C. PROCEDURE**

Vendors are requested to submit a proposal that meets all requirements contained herein. Proposals submitted shall be complete and include all costs associated with the proposal and shall be subject to negotiation by the City. All costs involved with preparing a proposal for submittal, including interview and travel expenses, are the responsibility of the proposal respondent.

In the event that it becomes necessary to revise any part of this RFP due to material issues



raised during the submission period, an addendum, supplement or amendment to this RFP will be sent to all plan holders of record.

All material submitted in response to this RFP solicitation becomes the property of the City of Missouri City and will not be returned to the respondent. The City reserves the right to use the ideas presented in any proposal of work. An award of the contract to a different respondent does not eliminate this right.

The City reserves the sole right to evaluate the proposals submitted, waive any irregularity therein, select and/or reject any and all responses.

**D. INQUIRIES**

All questions prior to 5:00 P.M. (CDT) December 4, 2017 should be directed as follows:

Interim Purchasing Manager  
[ssmith@missouricitytx.gov](mailto:ssmith@missouricitytx.gov)

**E. PRE-PROPOSAL CONFERENCE**

The City will not conduct a pre-proposal conference.

**F. ESTIMATED BUDGET**

The City has a dedicated allotment within its fiscal budget for Market Salary and Benefits Study.

**G. TERM OF CONTRACT**

The City anticipates a contract may be executed after Council makes its award.

The City of Missouri City reserves the right to terminate its contract with the contractor at any time during the term of the contract, without cause, with a written thirty (30) notice to terminate and pay the contractor for work performed to date.

**H. EXAMINATION OF PLANS, SPECIFICATIONS, AND SITE**

Not applicable

**I. CLARIFICATION/INTERPRETATION OF CONTRACT DOCUMENTS, TECHNICAL**

**SPECIFICATIONS AND CONTRACT PLANS**

1. If any person contemplating submitting a proposal for this contract has any objections or is in doubt as to the true meaning of the Contract Documents, Technical Specifications, or other proposal documents or any part thereof, he/she must submit to the City a request for clarification, no later than seventy-two (72) hours before the proposal opening.



2. All such requests for information shall be made in writing (email to point of inquiry for this RFP is acceptable) and the person submitting the request will be responsible for its prompt delivery.

**J. DISCREPANCIES AND AMBIGUITIES**

No oral explanation regarding the meaning of the specifications will be binding and no oral instructions will be given before award of the contract. Any interpretation or correction will be issued as an Addendum by the City. Only a written interpretation or correction by Addendum shall be binding. No respondent shall rely upon any interpretation or correction given by any other method.

**K. STATE OF TEXAS SALES TAX**

The cost of the sales tax shall not be included in the proposal. This contract is issued by an organization that qualifies for exemption pursuant to the provisions of Article 20.04(F) of the Texas Limited Sales, Excise and Use Tax Act as codified in Section 151.309 of the Texas Tax Code, as amended.

The Contractor performing this contract may be exempt from certain sales tax in the purchasing, renting or leasing of materials, supplies, equipment used or consumed in the performance of this contract by issuing to his supplier an exemption certificate complying with State Comptroller's administrative rules, including Rules 3.2.91 and 3.357, and by complying with applicable State law including Chapter 351 of the Texas Tax Code. An exemption certificate will be signed where applicable, upon request.

**L. ADDENDA**

Prior to the opening date of proposals, addenda will be issued to each person or firm recorded by the City as a plan holder. It is the obligation of each respondent to make sure that he has received any and all addenda prior to submitting its proposal.

**M. PROPOSAL FORM**

The scope of work (See Exhibit "A" – Specifications) details the work to be performed and a description of the desired results that are requested in this RFP. The work objectives will be achieved in a manner described in detail by the respondent as an attachment to the Proposal Form (Exhibit "B"). The City and the Respondent may negotiate deviations from the described proposal of work. If the City accepts the deviation, it will be included in the final executed agreement. By signing the Proposal, respondent is acknowledging understanding and agreeing to adhere to all requirements in this RFP, unless written exception is made by the respondent. Any written exceptions to this RFP are subject to negotiation and acceptance by the City.

**N. SUBMITTAL**

The proposal package submitted to the City shall contain the Proposal Form - Exhibit "B" One (1) Signed paper original; five (5) exact paper copies of entire proposal and

one (1) memory stick or CD containing an electronic copy of the entire proposal.



Proposals shall be enclosed in sealed envelopes addressed:

Sealed Bid Box  
RFP # 18-109, Market Salary and Benefits Study  
City of Missouri City  
Purchasing Office  
1522 Texas Parkway  
Missouri City, Texas 77489

The proposal name and number shall be printed or written on the outside of the shipping envelope. The City is not responsible for misdirected proposals that are not properly labeled. Electronic or faxed proposals will not be considered. Proposals must be sealed by tape or adhesive. Envelopes sealed only with metal clasps are not considered sealed and will be rejected.

Proposals must be prepared using the Proposal Form which is attached to this RFP as Exhibit "B". The first page must be signed by an authorized representative of the bidding firm. **NOTE: Failure to comply with this paragraph will be cause of disqualification of the submittal.**

Respondent may withdraw his proposal at any time prior to the last date and time specified for submission of proposals. A respondent may resubmit a proposal at any time prior to the deadline for submission of proposals, pursuant to the proposal procedures requirements stated herein. Once proposals are opened, no respondent may modify or withdraw his proposal within ninety (90) days after the actual date of the proposal opening.

The City reserves the right to obtain clarification of any information in the proposal response. Failure of a respondent to timely and sufficiently answer such a request for additional information or clarification may result in rejection of the proposal from further consideration.

A proposal is invalid if it has not been received by City by the last time and date for receipt of proposals indicated herein, or prior to any written extension thereof issued to the respondent. Proposals received after the deadline will be returned unopened.

**O. BONDING**

Not required.

**P. RANKING AND SELECTION**

Per the Texas Local Government Code, following receipt of proposals, the proposals will be publicly opened and read aloud as to the names of the respondents only. Each proposal will be ranked according to proposal evaluation criteria of items i. thru v.



published herein. Proposals will be initially ranked based on items i. thru iv. Item v. will then be evaluated with the initial ranking of items i. thru iv. to determine the “Best Value” for the City. The City shall select the respondent that submits the proposal that offers the Best Value for the City using the evaluation criteria noted below and that delineated in State of Texas Local Gov. Code 252-043:

The City Manager, and Review Team, will evaluate each proposal and select a firm to recommend to the City Council to enter into a contract for the services herein described.

The City Council reserves the right to approve or reject the selection. All proposals submitted will be evaluated using the following criteria:

**1. Qualifications and Relevant Experience (40 points)**

- Years in business and qualifications of individuals and team;
- Experience providing similar services for local government agencies;

**2. Thoroughness and Organization of Proposal (20 points)**

- Includes all elements of the proposal;
- The proposal is organized, concise, and thorough;
- Demonstrates understanding of the scope of work;
- Consultant’s approach to accomplishing the scope of work;

**3. Methods and Procedures (20 points)**

- Demonstrated ability to provide qualified and experienced personnel;
- Availability of lead and proposed team members;
- Consultant’s general approach to providing services;
- Description of procedures and methods for services;
- Demonstrated ability to deliver services in a timely manner;

**4. Cost Estimates (20 points)**

- Overall costs for providing the proposed scope of services
- Quality of work to be delivered based on consultant’s fee



Discussions may be conducted with one or more respondents who submit proposals and who are determined to be reasonably qualified for the award of the contract. Respondents shall be treated fairly and equally with respect to any opportunity for discussion and revision of proposals. To obtain the best final offers, revisions may be permitted after submissions and before the award of the contract. The contract must be awarded to the responsible respondent whose proposal is determined to be the most advantageous to the City considering the relative importance of the evaluation factors.

## **Q. REJECTION OF PROPOSALS**

The Respondent acknowledges the right of the City to reject any and all proposals and to waive any informality or irregularity in any proposal received. City reserves the right to accept or reject any or all Alternates, to accept any combination of Alternates, and to accept any proposal considered advantageous. City shall have all other rights with regard to the proposal provided by law.

In addition, the Respondent recognizes the right of the City to reject a proposal if the respondent failed to submit the data required by this Request for Proposal document, or if the proposal is in any way incomplete or irregular.

The City may reject a proposal due to any irregularity, informality or non-responsiveness, including, but not limited to, any of the following:

- Proposals which are not timely submitted.
- Proposals which are not signed.
- Proposals containing omissions, alternation of form, additions, qualifications, or conditions not called for or acceptable by the City, or incomplete proposals may be considered in non-compliance and may be rejected. In any case of ambiguity or lack of clarity in the proposal, City reserves the right to determine the most advantageous proposal or to reject the proposal.
- Any other cause requiring or permitting rejection under applicable law.

## **R. SUBMISSION OF POST-PROPOSAL INFORMATION**

Upon request by the City, each respondent shall, within the time frame requested, submit any additional information required to evaluate his proposal, including any information on subcontractors. The City may discuss with any respondent any subcontractor that City has reasonable objection to, or which has been disbarred from performing services for City.

## **S. FORM OF CONTRACT**

The City's standard form of contract will be executed with the selected firm. By submitting a proposal each respondent agrees to use the City's contract. A copy of the standard form of contract is included with solicitation for review, comment, etc.

## **T. AWARD OF CONTRACT**



Award of contract, if any, will be made by formal action of the City Council of the City of Missouri City. The contract will be executed after Council makes its award. The contract will be for a one time purchase. The City of Missouri City reserves the right to cancel the award before contract execution with no compensation due.

The City of Missouri City reserves the right to terminate its contract with the contractor at any time during the term of the contract, without cause, with a written thirty (30) notice to terminate and pay the contractor for work performed to date.

The City of Missouri City reserves the right to make a single award or multiple awards, whichever is in the best interest of the City.

**U. NOTICE TO PROCEED**

The City of Missouri City reserves the right and may wait up to ninety (90) days after awarding the proposal to give the Contractor a Notice to Proceed.

**V. TECHNICAL SPECIFICATIONS**

See attached EXHIBIT "A" for specifications.

**W. PROPOSAL FORM**

See attached EXHIBIT "B" for the proposal form for this project.



## **TERMS AND CONDITIONS**

### **A. STATE OF TEXAS SALES TAX**

The cost of the sales tax shall not be included in the proposal. This contract is issued by an organization that qualifies for exemption pursuant to the provisions of Article 20.04(F) of the Texas Limited Sales, Excise and Use Tax Act as codified in Section 151.309 of the Texas Tax Code, as amended.

### **B. GENERAL CONDITIONS**

Proposal respondents are required to submit their proposals upon the following express conditions:

- Proposal respondents are advised that all CITY contracts are subject to all legal requirements of local, state or federal statutes. Any Proposal, after being opened, becomes subject to the Open Records Act, Article 6252-17a V.T.C.S.
- No officer and no employee of the CITY involved in the proposal analysis shall have a financial interest, direct or indirect, in any contract with the CITY, or shall be financially interested, directly or indirectly, in the sale to the CITY of any materials, supplies or service, except on behalf of the CITY as an officer or employee.
- The cost of the state and local sales tax shall not be included in the proposal. A contract will be issued by an organization that qualifies for exemption pursuant to the provisions of Article 20.04 (F) of the Texas Limited Sales Excise and Use Tax Act as codified in Section 151.309 of the Texas Tax Code, as amended. The contractor performing this contract may be exempt from certain sales tax in the purchasing, renting or leasing of materials, supplies, equipment used or consumed in the performance of this contract by issuing to his supplier an exemption certificate complying with State Comptroller's administrative rules, including Rules 3.291 and 3.357, and by complying with applicable State law, including Chapter 351 of the Texas Tax Code. A signed Texas sales tax exemption certificate will be submitted to the successful contractor upon request.

### **C. DESCRIPTION OF SUPPLIES**

A catalog reference or manufacturer's make and model used in describing an item shall serve as a strict specification, and any deviation from the specified make and model must be clearly stated in the proposal response as an alternate proposal. When proposing an alternate, the proposal respondents must supply relevant specification information, including brochures or spec sheets when appropriate. Alternate proposals are subject to the CITY's acceptance as an approved equal. The CITY shall be the sole judge of whether an item is an approved equal. Proposal respondents are required to state exactly what they intend to furnish, including any deviations to the specifications; otherwise they shall be required to furnish the items as specified and failure to do so will be considered a breach of contract.



#### **D. PRICING**

Where there is an error in extension of price, the unit price shall govern.

Best and Final Offer (BAFO) - In a competitive negotiation, the final proposal submitted after negotiations or discussions are completed that contains the proposer's most favorable terms for price, services, and products to be delivered. Sometimes referred to as BAFO and utilized during the Request of Proposal method of procurement.

#### **E. ASSURANCE OF COMPLIANCE - EQUAL EMPLOYMENT OPPORTUNITY AND SMALL AND/OR MINORITY BUSINESS ADVOCACY REQUIREMENTS**

It is the policy of the CITY that Small and/or Minority Enterprises shall have the maximum, practicable opportunity to participate in the performance of public contracts. Proposal respondents agrees that if this proposal is accepted, he/she will not engage in employment practices which have the effect of discriminating against employees or prospective employees because of race, color, religion, national origin, sex, age, handicap, or political belief or affiliation.

#### **F. EVALUATION PROCESS: It is the City's intent to enter into a contract with a Vendor that offers the "best value" for the desired project.**

After receipt of the proposals, the City of Missouri City will evaluate the proposals based upon the evaluation criteria set forth in the Request for Proposal. The City has, at its sole discretion, the ability to negotiate with the respondent determined to be the highest ranked after completion of the evaluations.

The City may elect to conduct discussions with the respondents deemed to be in the competitive range for award. If discussions are held, respondents identified in the competitive range will be given equal opportunity to discuss and submit revisions to the proposals. Revisions of proposals are accomplished by formally requesting Best and Final Offers (BAFOs) at the conclusion of discussions with a deadline set for receipt of BAFOs and including instructions as to exactly what should be submitted in response to the BAFO. After consideration of all BAFO responses, the City will select the top ranked respondent, and will enter into contract negotiations.

#### **G. PAYMENT**

Article 601(f) of the Vernon's Texas Civil Statutes, commonly known as the Prompt Payment Act, sets out required deadlines for payment of a government's obligations to its vendors, requirements for vendor's payments to their subcontractors, and penalties for failure to comply with the Act and exceptions to the Act.

Unless the CITY provides otherwise on the purchase order or contracts, the Act requires political subdivisions to pay all payments owned not later than 30 days after the goods and services are received, or the date the invoice is received, whichever is later. Interest automatically accrues at one percent (1%) per month. The Act also requires vendors to follow the same rules for payments to their subcontractors. Subcontractors must pay their suppliers, material men and servicemen, within 10



days of receipt of their payment.

When the CITY believes this is an error received from a vendor, it has until the 21st day after receipt to notify the vendor of the dispute. If resolved in favor of the CITY, the vendor must submit a new invoice and the CITY has 30 days to pay. If the dispute is resolved in favor of the vendor, interest is due from the original date of the invoice.

**NOTE:** The CITY also requests that all providers accept the MasterCard as a preferred form of payment for all of its transactions. **By returning this RFP and submitting a signed proposal, Respondent agrees to this term.**

#### **H. ESCALATION CLAUSE**

If this RFP results in a contract for a specified term, the contractor may not apply for a price increase during the initial contract term. In addition, if a renewal offer is made by the CITY, an escalation request may be made by the contractor with the escalation becoming effective the date of renewal.

Both parties must be in agreement and a written renewal offer signed, with the escalation terms included.

#### **I. FREIGHT**

All prices proposed for commodities or services shall include freight. Price is established as FOB Missouri CITY, Texas, inside delivery (where appropriate), driver unloads, prepaid and the freight costs included in the item proposed price. The CITY does not have a loading dock at any of its facilities. Deliveries will be accepted between 8 AM to 12 Noon, and 1 PM to 4 PM, Monday thru Friday, except holidays. The CITY will make no exception to this requirement.

#### **J. FISCAL FUNDING**

If, for any reason, funds are not appropriated by the CITY to continue the contract, said contract shall become null and void on the last day of the then current funding period. After termination of the contract, contractor's services shall cease, and or any contractor owned equipment shall be removed by the contractor without penalty of any kind or form to the CITY. All charges and physical activity related to delivery, installation, removal and redelivery shall be the responsibility of the contractor.

#### **K. FORCE MAJEURE**

If by reason of Force Majeure, either party hereto shall be rendered unable to wholly or in part to carry out its obligations under this agreement then such party shall give notice and full particulars of Force Majeure in writing to the other party within a reasonable time after occurrences of the event or cause relied upon and the obligation of the party giving such notice so far as is affected by such Force Majeure, shall be suspended during the continuance of the inability then claimed, except as hereinafter provided, but for no longer period and as such party shall endeavor to remove or overcome such inability with all reasonable dispatch.

#### **L. INSURANCE REQUIREMENTS**

Responding firms shall be prepared to comply with the insurance requirements of this



RFP in the event of a contract award. Compliance will be required before the CITY will execute a contract with the responding firm.

A current certificate of insurance with the CITY named as an additional insured is required to be submitted to the Purchasing Office before the CITY will enter into a contract with a vendor. In addition, the CITY shall not enter into any separate indemnification or hold harmless agreements with the successful contractor(s).

#### 1. POLICY REQUIREMENTS

Prior to the approval of this contract by the CITY, Contractor shall furnish a completed insurance certificate to the Purchasing Office, which shall be completed by an agent authorized to bind the named underwriter(s) to the coverage, limits, and termination provisions shown thereon, and which shall furnish and contain all required information referenced or indicated thereon. *CITY SHALL HAVE NO DUTY TO PAY OR PERFORM UNDER THIS CONTRACT UNTIL SUCH CERTIFICATE SHALL HAVE BEEN DELIVERED TO THE CITY*, and no officer or employee of the CITY shall have authority to waive this requirement.

#### 2. INSURANCE COVERAGE REQUIRED (where applicable)

- a. Worker's Compensation - Statutory and Employers Liability with minimum limits of \$500,000 each accident and \$1,000,000 each employee;
- b. Commercial General (public) Liability insurance minimum limits of \$1,000,000 each occurrence including coverage.
- c. Comprehensive Automobile Combined single limit for liability insurance, including bodily injury and property coverage of \$1,000,000 each accident.
- d. Installation Floater

This insurance shall protect the Contractor and the CITY from all insurable risks of physical loss or damage to materials and equipment not otherwise covered under builder's risk insurance, while in warehouse or storage areas, during installation, during testing, and after the work is completed. Installation floater insurance shall be of the "all risks" type, with coverage designed for the circumstances which may occur in the particular work included in this contract. The coverage shall be for an amount not less than the insurable value of the work at completion, less the value of the materials and equipment insured under builder's risk insurance. The value shall include the aggregate value of the CITY furnished equipment and materials to be erected or installed by the Contractor not otherwise insured under builder's risk insurance.



### 3. ADDITIONAL POLICY ENDORSEMENTS

CITY shall be entitled, upon request, and without expense, to receive copies of the policies and all endorsements thereto and may make any reasonable request for deletion, revision, or modification of particular policy terms, conditions, limitations, or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any of such policies). Upon such request by CITY, CONTRACTOR shall exercise reasonable efforts to accomplish such changes in policy coverage, and shall pay the cost thereof.

### 4. REQUIRED PROVISIONS

CONTRACTOR agrees with the respect to the above required insurance, all insurance contracts and certificate(s) of insurance *will contain and state, in writing, on the certificate or its attachment, the following required provisions:*

- a. Name the CITY and its officers, employees, and elected representatives as an additional insured;
- b. Provide for notice to CITY upon cancellation;
- c. Provide for an endorsement that the "other insurance" clause shall not apply to the CITY where CITY is an additional insured shown on the policy;
- d. Provide for notice to the CITY at the address shown;
- e. CONTRACTOR agrees to waive subrogation against the CITY, its officers, employees, and elected representatives for injuries, including death, property damage, or any other loss to the extent same may be covered by the proceeds of insurance.

### 5. NOTICES

CONTRACTOR shall notify CITY in the event of any change in coverage and shall give such notices not less than 30 days prior to the change, which notice must be accompanied by a replacement CERTIFICATE OF INSURANCE. All notices shall be given to CITY at the following address:

City of Missouri City  
Purchasing Office  
Attn: Purchasing and Risk Manager  
1522 Texas Parkway  
Missouri City, Texas 77489

### 6. APPROVAL

Approval, disapproval, or failure to act by CITY regarding any insurance supplied by CONTRACTOR shall not relieve CONTRACTOR of full responsibility or liability for damages and accidents as set forth in the contract



documents. Neither shall the bankruptcy, insolvency, or denial of liability by the insurance company exonerate CONTRACTOR from liability.

**7. HOLD HARMLESS AGREEMENT**

Contractor shall indemnify and hold the CITY harmless from all claims for personal injury, death and/or property damage resulting directly or indirectly from contractor's performance. Contractor shall procure and maintain, with respect to the subject matter of this proposal, appropriate insurance coverage including, as a minimum, public liability and property damage with adequate limits to cover contractor's liability as may arise directly or indirectly from work performed under terms of this proposal. Certification of such coverage must be provided to the CITY upon request.

**M. INTERLOCAL AGREEMENT**

Chapter 791, Texas Government Code and Chapter 271, Subchapter F, Texas Local Government Code, authorizes cities to enter into Interlocal purchasing agreements to take advantage of potential cost savings resulting from cooperative purchasing efforts. Successful contractor(s) agree(s) to extend prices and terms to all entities, that have entered into or will enter into joint Purchasing Interlocal Cooperation Agreements with the City of Missouri City.

**N. House Bill # 1295 Certificate of Interested Parties as of January 1, 2016.**

Any and all resultant contracts of this Invitation for Bid will require the contractor to complete the Texas Ethics Commission requirements under the State of Texas House Bill # 1295 Certificate of Interested Parties. This requirement is not arbitrary and is MANDATORY for the City to contract with a provider.

Therefore, the City requires that, in your response to this Invitation to Bid, proposer shall include a completed and notarized form.

Login information, Forms and Certification download may be obtained at:

[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm).

The City strongly encourages respondents to view the *Instructional Video for Business Entities* and review the FAQ's prior to proceeding with the filing.



Note: A Certification will require the provider to enter a contract/solicitation number in Box 3. That number for this solicitation is **18-109**.



## **EXHIBIT A SPECIFICATIONS**

### **INTRODUCTION:**

The City of Missouri City hereby solicits proposals from qualified consulting firms, experienced in market compensation & benefits studies. The City desires to secure the services of a consulting firm who will review the City's current compensation plan, and analyze external market competitiveness and internal equity, to determine market compensation and benefits for each position utilizing the City's current pay plan. The City of Missouri City expect the consultant to use current census data and make recommendations for adjustments to pay ranges as dictated by the City's Compensation Philosophy.

The City of Missouri City will afford all prospective consultants full opportunity to submit statements of qualifications in response to this request and will not discriminate against anyone on the grounds of age, ancestry, color, race, gender, genetic information, marital status, military and veteran status, religion, national origin, sex, religious creed, or disability in consideration for an award of any contract it enters into pursuant to this notice.

This Request for Proposal (RFP) is an invitation by the City of Missouri City for consultants to submit an offer, which may be subject to subsequent discussion. Submittal of a proposal does not create any right or expectation of a Contract with the City of Missouri City.

The City of Missouri City reserves the right to reject any or all proposals and the City further declares that it will incur no financial obligations for any costs by any firm in preparation of their proposal.

Qualified firms may submit their sealed proposal responses on or before December 12, 2017 by 2:00 PM

### **I. Statement of Qualifications and Approach**

To be considered, a vendor must be a consulting firm with expertise in designing, administering, evaluating and analyzing market data, then making recommendations for implementation. The consultant should be able to provide references from other municipalities or government agencies where similar scope of work performed.

### **II. Criteria for Selection**

The City Manager, and Review Team, will evaluate each proposal and select a firm to recommend to the City Council to enter into a contract for the services herein described.

The City Council reserves the right to approve or reject the selection. All proposals submitted



will be evaluated using the following criteria:

### **1. Qualifications and Relevant Experience (40 points)**

- Years in business and qualifications of individuals and team;
- Experience providing similar services for local government agencies;

### **2. Thoroughness and Organization of Proposal (20 points)**

- Includes all elements of the proposal;
- The proposal is organized, concise, and thorough;
- Demonstrates understanding of the scope of work;
- Consultant's approach to accomplishing the scope of work;

### **3. Methods and Procedures (20 points)**

- Demonstrated ability to provide qualified and experienced personnel;
- Availability of lead and proposed team members;
- Consultant's general approach to providing services;
- Description of procedures and methods for services;
- Demonstrated ability to deliver services in a timely manner;

### **4. Cost Estimates (20 points)**

- Overall costs for providing the proposed scope of services
- Quality of work to be delivered based on consultant's fee

## **III. Cost and Fee Arrangements**

The consultant must provide a proposal with maximum cost for the project based on the project as described herein. To the extent desired, the consulting firm may include additional recommendations and services or options as additions to the project on an optional basis. The consulting firm shall price options separately from this Request for Proposal.



#### **IV. City of Missouri City Compensation Background Information**

The City of Missouri City, a rapidly growing progressive city with a population of approximately 70,000, located southwest of Houston, Texas, currently has 350 Full Time employees. The City uses four (4) Pay Plans, which are: Exempt, Non-Exempt, and Police & Fire. Each of the Pay Plans includes grades, and each grade has ranges with spreads ranging from 20% to 25% on average, which is the basis for establishing the Minimum, Midpoint (Market) and Maximum of each grade. It is estimated that it takes an individual five (5) years to progress from the Minimum to the Midpoint of the range, and an additional five (5) years to progress from the Midpoint to the Maximum of each range.

The Exempt and Non-Exempt salary ranges, uses the Midpoint of each range to determine Market rates. Conversely, the City uses the Minimum of the range, to determine the market competitive rates for police and fire. When possible, employees typically receive a percentage increase every year or two, on the first pay period after July 1, as approved by the City Council. In November of 2017, the City will implement a 1% across the board one-time, salary, not added to the base salary, pending the recommendations of this study. Additionally, sworn police and fire employees receive certification pay for state required credentials. The City also provides certification pay for Telecommunications Officers (911 Operators) and bilingual skill pay for certain employees. Furthermore, the City provides longevity pay to employees as a retention strategy. Additionally, the City is exploring an option that would include performance based rewards.

Department heads are not a part of the City's Pay Plan, but the City uses market data to establish a competitive salary for department heads positions.

The City of Missouri City also provides a comprehensive benefits package that includes a bundled medical, dental & vision insurance, which it pays according to the following:

The City provides two medical plans: a traditional Preferred Provider Option and a High Deductible Health Savings Account (HSA), which it partially funds for employees who elect the HSA. The City also offers two dental plans, a Dental



Health Maintenance Organization (DHMO) and a Preferred Dental Provider (PDP). Additionally, the City provides a vision plan as a part of the aforementioned bundle.

The City of Missouri City also offers its full-time employees a Basic Life (\$50,000), Accidental Death and Dismemberment insurance policy and a supplemental (optional) basic life of up to \$250,000. Other benefits includes: 12 vacation days; 12 sick days, with unlimited accrual.

The City of Missouri City is member of the Texas Municipal Retirement System, which requires all full time employees to defer 7% of their salaries, which the City matches 2-1; with a five (5) year vesting period, a 20 years for full service retirement.

#### **V. Scope of Work/Timeline**

The City expects ongoing and open communications between designated City representatives and the consultant over the course of each phase of this project. All products and recommendations must comply with applicable State and Federal laws and enhance the City's ability to recruit and retain qualified personnel.

**VI.** The City of Missouri City expects, and requires ongoing and open communications between designated City representatives and the consultant(s) over the course of the agreed upon scope of this market benefits and compensation study.

All products and recommendations must comply with applicable State and Federal laws and serve as a tool to enhance the City's ability to recruit, develop, promote, and retain qualified employees at all levels within the organization.



PROPOSED TIMELINE	ESTIMATED DELIVERY DATE
Request for Proposal (RFP) Issued	November 20, 2017
RFP Submittal Deadline	December 12, 2017
Proposal Evaluation	Week of December 15, 2017
Notification to selected firm (pending Council Approval)	Week of January 12, 2018
Firm meets with City Manager & Team	Week of January 19, 2018
City and firm agrees to scope of work	Week of January 19, 2018
Purchasing Division Finalizes agreement	Week of January 26, 2018
Firm begins data gathering and begins study	February 5, 2018
Firm return initial result to City	March 30, 2018
Firm presents findings and recommendations to City Council	April 23, 2018

The City of Missouri City will provide the following information to the successful consultant:

- Census data of all Full-Time Employees;
- Copies of all existing job descriptions;
- Copies of Exempt, Non-Exempt, Police & Fire Pay Plan;
- Copies of City's organizational charts;

**VII. Specifications for Market Salary & Benefits Study:**

The following are the consulting services related desired for the City's compensation and benefits market study:

- The consultant will review the current compensation system to ensure equity and external/market competitiveness;



- Conduct a comprehensive survey of market cities, Attachment A, impacting the City of Missouri City job market for all full-time benefited positions in Attachment B.

This shall include market city jobs with the same essential duties and functions. Additionally, the study must include a review and market analysis of existing salaries.

- Make structure adjustment recommendations to ensure internal equality and external market competitiveness. The consultant(s) will determine the method in which to perform said analysis.

The data used the most recently approved pay structures 2016 for pay purposes, which includes the City's July 3, 2016 pay adjustments.

- The consultant(s) will review current benefits, including sick leave, vacation leave, certification pay, basic life insurance and other related accrual for Police, Fire, Exempt, Non-Exempt and department heads.
- The consultant will provide City staff with 6 copies of the final compensation study.
- The Consultant will present the results of survey to the City Manager and the Review Team.
- The Consultant will present final recommendations to the City Council as agreed.

## **IX. Proposals Specifications:**

All proposals submitted in response to this request for proposals must contain the following information in the order outlined below:

1. Name, address, city, state, email address and telephone numbers of the Consulting firm;
2. Description of the firm (corporation, partnership, etc.) and year established;
3. State of incorporation, if any, and type of ownership;
4. Name and biography of all proposed consultant(s)/facilitator(s);
5. Name, title, and business address email address and telephone number of person responsible for submitting the proposal;



6. Listing of any subcontractors, if any, and the scope of work said subcontractors will perform;
7. Description of the scope of involvement of city staff;
8. Narrative outlining the particulars of firms approach and techniques the consultant(s) will use in identifying, evaluating and validating the information it provides the city;
9. Describe the process it will use and submit the forms, questionnaires and instruments the firm intends to use or propose for use in this study;
10. Narrative of the scope of work as outlined in this document;
11. An estimate of time to complete the project and a proposed timeline of work tasks, with the date of final completion of the project. Reference proposed timetable on page 6 as a guide;
12. A breakdown of the firm's rates, fees and charges for services, by phase and for total project, and a proposed payment schedule;
13. At least three references, including individual contact name, name of organization, email address and telephone numbers from other municipalities or government agencies where they performed similar work.



**ATTACHMENT "A"**  
**Market Comparable Cities**

***Missouri City***

1. Baytown
2. Bellaire
3. Conroe
4. Friendswood
5. Houston
6. Katy
7. La Porte
8. League City
9. Pasadena
10. Pearland
11. Richmond
12. Rosenberg
13. Stafford
14. Sugarland
15. Webster
16. West University Place



**RFP # 18-109  
MARKET SALARY AND BENEFITS STUDY**

Note: These forms are fillable within the PDF document. Print out paper copy for submittal.

**EXHIBIT "B" PROPOSAL FORM**

Legal Name of Contracting Company	
Principal Place of Business (City, State)	
Contact Person/Title	
Telephone Number	
E-Mail Address	
Complete Mailing Address	
City	
State/Zip	

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**Authorized Signature**

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**Printed Name**

**NOTE: This page must be signed or proposal will be subject to disqualification.**



**A. ADDENDUM RECEIPT ACKNOWLEDGMENT**

Bidder acknowledges receipt of the following Addenda:

Addendum #1 Dated \_\_\_\_\_ Received \_\_\_\_\_

Addendum #2 Dated \_\_\_\_\_ Received \_\_\_\_\_

Addendum #3 Dated \_\_\_\_\_ Received \_\_\_\_\_

Addendum #4 Dated \_\_\_\_\_ Received \_\_\_\_\_

(If additional addendum are issued, add an extra sheet acknowledging receipt of the Addenda)

**B. LIABILITY AND WORKERS' COMPENSATION INSURANCE CERTIFICATION**

I do hereby certify that said company carries liability coverage and workers compensation insurance coverage that meets the requirements set forth in this RFP when performing work on this project for the City of Missouri City.

Furthermore, I certify that any subcontractor on the project shall provide the said company with a certificate relating that all employees of the subcontractor also are provided with workers' compensation insurance coverage. I will provide copies of all of these certificates to the City of Missouri City during the course of the project for all subcontractors working on the project.

A certificate of liability and workers comp coverage must be submitted to the City before a contract will be executed.



**C. QUALIFICATIONS**

- 1. List the names that the bidder currently, has, or anticipates operating under, including the names of related companies presently doing business.

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- 2. List the names of companies, firms or organizations that own any part of the bidding organization.

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- 3. Years' experience in similar projects: \_\_\_\_\_

- 4. In the past ten years, has bidder ever defaulted on a project or failed to complete any work contracted for? If yes, provide details on a separate sheet.

- 5. In the past ten years, has bidder ever been terminated from a project it had contracted for? If yes, provide details on a separate sheet.

- 6. Is the bidder currently in any litigation or litigation? Provide details on separate sheet.

- 7. In the past five years, has bidder ever refused to enter into contract for a project for which it was awarded a contract? \_\_\_\_\_ If yes, provide details on a separate sheet.

- 8. Provide a brief description of bidder's managerial structure including name and title of key personnel that will be involved in this project. You may include this information on a separate sheet.

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9. What trades or services does the bidder ordinarily subcontract out?

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**D. PLAN OF WORK**

On a separate page(s) provide a detailed summary of your proposed plan of work.

**E. COST**

On a separate page(s) provide a detailed summary of your proposed cost.



# RFP # 18-109 Proposal to Conduct Market Salary & Benefits Study

City of Missouri City, TX  
December 12, 2017



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December 12, 2017

Sealed Bid Box  
RFP # 18-109, Market Salary and Benefits Study  
City of Missouri City  
Purchasing Office  
1522 Texas Parkway  
Missouri City, TX 77489

**RE: RFP # 18-109 Market Salary and Benefits Study**

Ladies and Gentlemen,

In response to your request, Gallagher Benefit Services, Inc.'s Fox Lawson Group (FLG) is pleased to submit our proposal to assist the City of Missouri City (the City) in conducting a market salary and benefits study that encompasses approximately 350 full-time employees in four (4) separate pay plans.

We understand the City is interested in an analysis and recommendations addressing:

- Competiveness of the City's current compensation and benefits plans;
- Assessment of internal equity and external market competitiveness for each position;
- Appropriate pay range and salary adjustments based on study findings.

We believe a review of our proposal will demonstrate several characteristics that will be advantageous to the City, including:

- Our people are proven, experienced compensation professionals. Each has attained the CCP (Certified Compensation Professional) designation from *WorldatWork*, and/or the IPMA-CP (Certified Professional) designation from the *International Public Management Association for Human Resources*, and hold specialized degrees in HR management/industrial relations or public/business administration.
- We have over 30 years of experience in designing, administering, evaluating, analyzing and making recommendations for municipal organizations to ensure competitive compensation systems designed to attract, retain and engage employees.
- Our firm's team based organizational structure and ongoing managing director interaction enables us to provide senior level consultants who have the experience to guide you through this project to its successful conclusion.
- Our project team has worked together on over 500 similar consulting engagements for cities, counties and other public agencies. We have worked with some of the largest cities in the country, as well numerous special districts and public sector organizations throughout Texas.



- We have the technical experience, as well as sensitivity to the significant impact of classification, job evaluation, and compensation decisions to ensure results are appropriate for the City.

Our proposed approach is designed to supply the City with work products that are tailored to your needs and take advantage of the City's existing knowledge about the jobs we will study.

We are highly qualified to assist you in conducting this sensitive study and encourage you to contact other organizations that we are currently assisting or have recently assisted. We pride ourselves on offering a degree of customer service and quality work product that surpasses our competition.

Our clients will attest to our ability to:

- Work with you as a team – we serve as mentors and technical experts to ensure things go right.
- Deliver projects that meet the distinct and unique needs of our clients for the future—we don't simply reorganize your current system.
- Meet project timelines and budgets.

This proposal is valid for ninety (90) days from the date of this proposal.

We appreciate having the opportunity to submit this proposal and look forward to assisting the City in the conduct of this study. Should you need additional information or have questions regarding our proposal, please contact me at 602-840-1070, [bruce\\_lawson@ajg.com](mailto:bruce_lawson@ajg.com) or Lori Messer at 480-845-6204, [lori\\_messer@ajg.com](mailto:lori_messer@ajg.com).

Very truly yours,

A handwritten signature in black ink, appearing to read "Bruce Lawson", is written over a horizontal dashed line.

Bruce G. Lawson, MPA, CCP, IPMA-SCP  
Managing Director  
Gallagher Benefit Services, Inc.  
1345 E. Chandler Blvd., Bldg. 1, Suite 103  
Phoenix, AZ 85048  
602-840-1070  
[bruce\\_lawson@ajg.com](mailto:bruce_lawson@ajg.com)



**ORGANIZATIONAL OVERVIEW**

Services for this project would be managed from our Phoenix, AZ office.

<b>PHOENIX, AZ</b>
1345 East Chandler Boulevard, Bldg. 1, Suite 103, Phoenix, AZ 85048 (602) 840-1070; <a href="mailto:bruce_lawson@ajg.com">bruce_lawson@ajg.com</a> <b>Managing Director:</b> Bruce Lawson, MPA, CCP, IPMA-SCP
<b>RICHMOND, VA</b>
16064 Parsons Road, Beaverdam, VA 23015 (651) 234-0848; <a href="mailto:ronnie_charles@ajg.com">ronnie_charles@ajg.com</a> <b>Managing Director:</b> Ronnie Charles, SPHR, GPHR, IPMA-SCP
<b>ST. PAUL, MN</b>
1335 County Road D Circle East; St. Paul, MN 55109-5260 (651) 635-0976; <a href="mailto:jim_fox@ajg.com">jim_fox@ajg.com</a> <b>Managing Director:</b> James Fox, Ph.D., CCP, IPMA-SCP
<b>HOUSTON, TEXAS</b>
1900 W. Loop S., Ste. 1600; Houston, TX 77027 (713) 358-5956; <a href="mailto:robby_white@ajg.com">robby_white@ajg.com</a> <b>Regional President:</b> Robby White

Arthur J. Gallagher, Inc. has numerous offices in Texas including, but not limited to, Dallas, Addison, Katy, Sugar Land, San Antonio and Austin.

Arthur J. Gallagher & Company was established in 1927. The corporation was established in Delaware. Gallagher Benefit Services, Inc., a wholly owned subsidiary of Arthur J. Gallagher, was created in 1987 but formally established as a subsidiary corporation on April 20, 1999. Fox Lawson, our public-sector compensation consulting group, began in 1981 as the public- sector compensation consulting practice at Arthur Young & Company. In 1989, Arthur Young merged with Ernst & Whinney to become Ernst & Young. In January 1995, Ernst & Young elected to sell its public-sector compensation consulting practice to Fox Lawson & Associates, LLC. By sale agreement with Ernst & Young, Fox Lawson became the successor firm to Ernst & Young LLP's public-sector compensation and human resources consulting practice. On October 1, 2009, Fox Lawson was acquired by, and became a division of, Gallagher Benefit Services, Inc. Fox Lawson has more than 30 years of experience conducting total compensation studies for authorities, districts, cities, counties and other public-sector organizations. Fox Lawson has 14 employees specializing in classification and compensation consulting.

Gallagher Benefit Services, Inc., FEIN 36-4291971, is a wholly owned subsidiary of Arthur J. Gallagher & Company, a publically traded company under the symbol AJG. Gallagher Benefit Services, Inc. was incorporated in 1999 in Delaware.



*Since the Fox Lawson Group will conduct this project, the remaining description of qualifications will relate to Fox Lawson.*

Two managing directors of the Fox Lawson practice, James Fox and Bruce Lawson, have worked together and were responsible for all engagements of Ernst & Young's Public Sector Compensation & Human Resources Consulting Practice for more than thirteen years prior to forming Fox Lawson. We provide the technical expertise and know-how commonly associated with larger firms and the innovative customer service and flexibility typically experienced with smaller firms.

We are guided by the following principles:

- To build a practice that clients seek when they want to align their compensation, benefits, and human resources systems to their business strategy.
- To provide a level of customer satisfaction and technical competence that exceeds our competitors.
- To exercise the professional principles of integrity, quality, communication, and work ethic.

FLG supports these business elements by employing individuals who embrace these goals of our practice.

While we have a broad understanding of human resource systems, our practice primarily specializes in public sector classification and compensation studies. These studies typically include: developing new classification structures and job descriptions, evaluating jobs with a job evaluation methodology to determine internal equity, conducting a custom-tailored salary survey, developing a competitive pay system, recommending strategies to implement the new compensation structure, and ensuring appropriate administrative and procedural guidelines are in place to maintain the system. These studies ensure that our clients are in compliance with applicable laws and regulations, such as the Fair Labor Standards Act (FLSA), the Americans with Disabilities Act (ADA), and Equal Employment Opportunity (EEO) standards and have pay systems that are appropriate for their organization and market strategy.

Gallagher Benefit Services, Inc. ranks among the top five compensation and benefits providers in the country with more than 2,000 employees nationwide. Arthur J. Gallagher was named by the Ethisphere Institute as one of the world's most ethical companies in 2012, 2013, 2014, 2015, 2016 and 2017.

Below are a few key points and a sampling of the services we would like to highlight about our firm.

### **JOB EVALUATION**

Our staff excels at applying job evaluation methodologies to better meet our clients' needs in changing environments. Because no single method fits the needs of all clients, we offer a "family" of job evaluation methods, including the Decision Band® Method,



Flex/Point™, a point factor plan, and JFACS™, an automated job evaluation system which uses a scored questionnaire. In addition to these methods, our firm is experienced in fine-tuning various job evaluation methods by updating the language and/or the mathematical weighting schemes behind various systems to ensure they are free of bias and are valid and reliable.

#### **SALARY DATABASE**

We utilize an internet-based salary survey database that includes over 350 of the major public and private sector salary surveys. We utilize GBS's proprietary BenefitPoint™ database to manage client and benefit plan information providing access to considerable benchmark data. We subscribe to multiple national benefits benchmarking studies and contract with globally-recognized informational data repositories, such as Ingenix. We also have access to nationally accredited data banks typically utilized in the employee benefits industry, such as Mercer, Segal, Kaiser Foundation and Willis-Towers.

#### **INDUSTRY ASSOCIATIONS**

We have a strategic alliance with the International Public Management Association for Human Resources (IPMA – HR), the National Public Employers Labor Relations Association (NPELRA), and the Colleges and Universities Professional Association for Human Resources (CUPA - HR) and have conducted a series of training seminars/workshops on compensation, classification, job evaluation, and employee benefits management throughout the nation in conjunction with these organizations.

#### **CLIENT SERVICE**

In a survey of clients that we had served in the prior five years, the independent firm Dun & Bradstreet found that the quality of client services Fox Lawson delivered exceeded services delivered by nearly 90 other competing firms, including many large national firms. (The factors rated included cost, timeliness, quality, responsiveness to problems, technical support, quantity delivered verses quantity requested, and the attitude of personnel.)

#### **INDUSTRY LEADERSHIP**

Gallagher's Fox Lawson consultants have demonstrated proven leadership in the compensation field. Each consultant has obtained their CCP, their IPMA-CP, and/or teaches courses through *WorldatWork*, including Job Analysis and Evaluation, Performance Management, Broad Banding, and Variable Pay seminars or through the International Public Management Association for Human Resources (IPMA - HR). In association with IPMA-HR, we designed, analyzed and sponsored the 2007 Compensation Benchmarking Survey of trends and best practices in compensation in public sector organizations, the 2008 Performance Management Survey and the 2011 and 2012 Compensation Surveys.

#### **NUMEROUS PRESENTATIONS**

Our managing directors have been featured speakers at every IPMA-HR national conference for the past 25 years. We also have been featured speakers at NPELRA (a public sector labor relations organization) national conference over the past 15 years. We are also often asked to speak at regional and national CUPA - HR and SHRM conferences.

#### **PUBLISHED ARTICLES**

We write a quarterly compensation answer column called CompDoctor® for the IPMA News. We also have published articles in the American City and County, Public Management, Corporate Report Ventures, Corporate Board Member, and Benefits Planner. We have also been quoted in the Wall Street Journal and on CNN. We



encourage you to access many of these articles through our website at [www.ajg.com/compensation](http://www.ajg.com/compensation).

Our clients sum up the Gallagher Fox Lawson difference as follows:

Customer Service & Follow-up- *"Gallagher is very responsive to their clients' questions and immediate needs; if there is a question, it is answered quickly and in words we understand."*

Teaching, Feedback & Guidance - *"Gallagher does an excellent job walking their clients through the project; they teach 'classification and compensation 101' and they move up to advanced courses when we are ready."*

Flexible - *"Gallagher is willing to work around their clients' schedules, and ensure project deadlines are met."*

Professional- *Gallagher is very professional, knowledgeable, and accommodating in handling their clients' questions and concerns."*

Analytic Ability & Data Quality- *"Gallagher analyzes data in a manner that is easy to understand and provides data that is credible and valid."*



## CONSULTING TEAM RESUMES AND EXPERIENCE

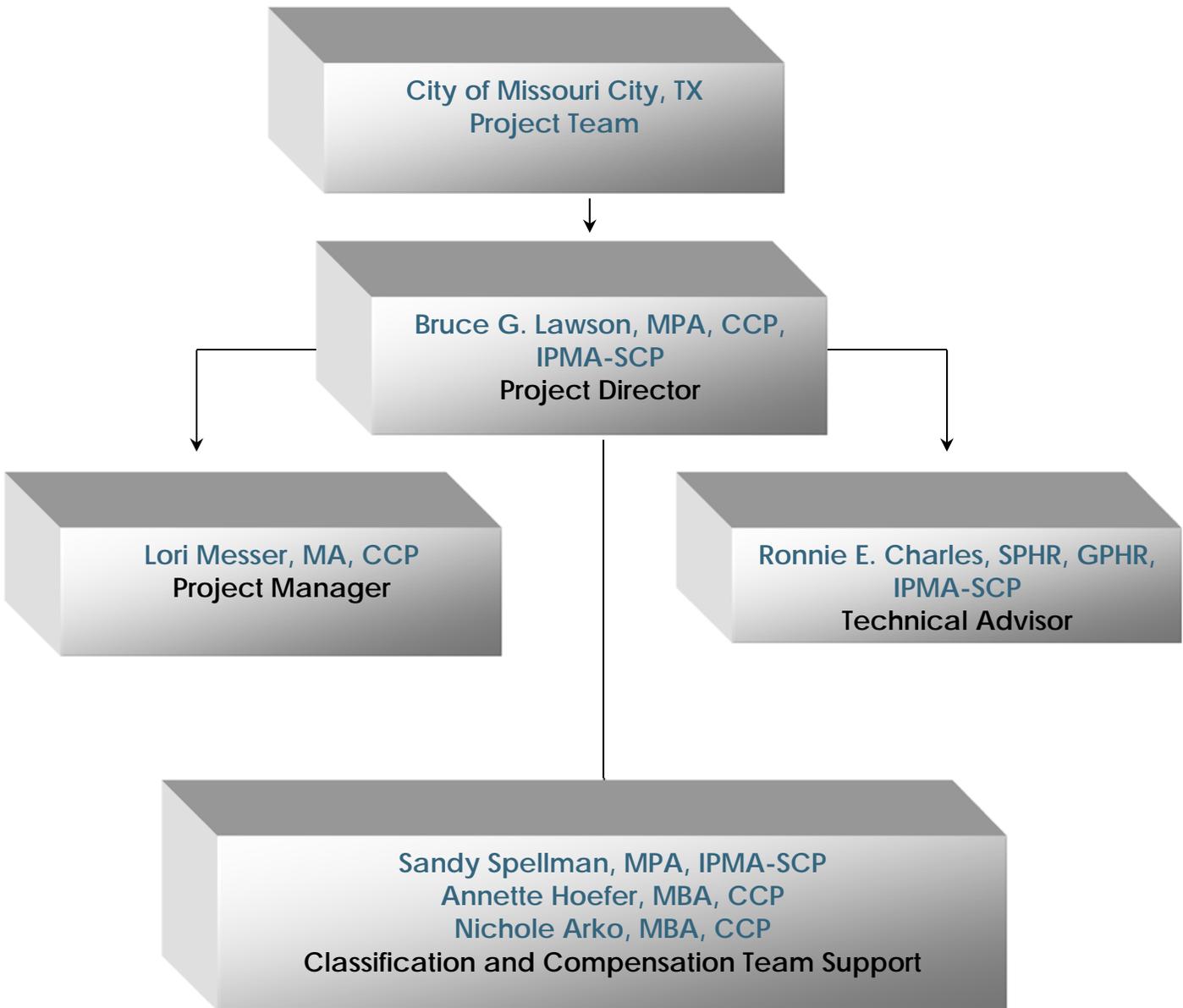
There are five critical concerns that must be addressed in organizing, staffing, and managing this project:

- Open communications must be maintained with employees and management.
- The consultants must secure high levels of acceptance from employees and department management, which is demonstrated through experience, professionalism, and quality work product.
- Work must be carefully planned and efficiently performed to meet your objectives. We will utilize our Phoenix office for ongoing client access.
- The consulting team must address the concerns of the Human Resources Department, managers and supervisors, and affected employees.
- The team must have the proper mix of project management skills, technical expertise, and public sector experience. All team members are actively engaged in on-going professional development activities through *WorldatWork*, IPMA, SHRM, and other professional organizations.

We have carefully considered these needs and have proposed a project team that is designed to address these areas and facilitate successful project completion.

One of the advantages for our clients is that we are a small team-based practice in which all members of the project team are intimately familiar with all activities of the project, while having all of the resources of a major national firm as a result of our merger with Gallagher Benefit Services. We will work closely with you to ensure a quality product that fits your needs and culture. Even though we may assign certain personnel to specific tasks or responsibilities in the work plan, all personnel can step in and perform the work that needs to be accomplished regardless of original assignment. Thus, every person has multiple personnel as back up support, and allows us the most flexibility and responsiveness in serving client needs.

The staffing plan for this project follows.





### **BRUCE G. LAWSON, MPA, CCP, IPMA-SCP – Project Director**

Mr. Lawson is a Managing Director of the firm. In this capacity, Mr. Lawson serves as project director and/or technical advisor, providing technical direction and quality assurance. He is responsible for all consulting activities in the areas of job evaluation and compensation, organization analysis, personnel systems and policy development. Mr. Lawson has been directing classification and compensation studies for more than 25 years. Prior to forming Fox Lawson, he spent 15 years with the firm of Ernst & Young LLP where he served as the national director of its public-sector compensation consulting practice. He also served as City Manager in two California cities (Los Altos Hills and Belvedere), was the County Administrative Officer in Multnomah County (Portland) Oregon, Assistant City Manager/Personnel Director in Corvallis, Oregon, and Assistant to the City Administrator/Personnel Director in Placentia, CA. Mr. Lawson served on the City of Phoenix (AZ) Public Safety Employees Retirement Board for 12 years. Mr. Lawson has a Master's Degree in Public Administration from the California State University at Fullerton, is a.b.d. in Public Administration from Golden Gate University in San Francisco, and has earned his CCP certification from *WorldatWork*. He is also an active member of several professional associations including the College & University Professional Association for Human Resources, the International City & County Management Association, the International Public Management Association for Human Resources, the Society for Human Resources Management and *WorldatWork*. Mr. Lawson co-authors a bi-monthly compensation article called the *CompDoctor*<sup>TM</sup>.

### **RONNIE CHARLES, SPHR, GPHR, IPMA-SCP – Technical Advisor**

Mr. Charles is a Managing Director with the firm. He is responsible for leading Gallagher's Public Sector consulting practice in the eastern region of the United States. Mr. Charles has over 30 years of Public Sector HR experience including Chief Human Resources Officer (CHRO) experience most recently in the City of Baltimore with additional professional stints in the District of Columbia, State of Virginia, and City of Suffolk, Virginia. Mr. Charles has a Bachelor's Degree in Management from Saint Paul's College. Mr. Charles is a member of several professional organizations, including the International Public Management Association for Human Resources (IPMA-HR) and currently chairs the International IPMA-HR Professional Development Committee. In addition, Mr. Charles also currently serves as the Chair of the Human Resources Institute (HRCI). He brings vast experience in domestic U.S., International, and Global HR Compensation practices.

### **LORI MESSER, MA, CCP – Project Manager**

Ms. Messer is a Senior Consultant of the firm. She is responsible for conducting classification and compensation consulting projects. She has worked for the firm in a variety of capacities for 14 years. Ms. Messer has extensive experience managing classification and compensation projects for more than 20 clients in the Houston-metro area. Additionally, she has worked with and for a variety of public and private sector organizations, including states, cities, counties, school districts, colleges, universities, and special districts. Prior to joining the firm, Ms. Messer held positions with school districts and a variety of consultative human resources and compensation positions in high tech, distribution, healthcare and



local government organizations. Ms. Messer has a Bachelor's Degree in Business Administration from Arizona State University and a Master's Degree in Education from the University of Phoenix. She is also a member of *WorldatWork* and has earned her CCP certification.

#### **SANDRA SPELLMAN, MPA, IPMA-CP – Senior Consultant**

Ms. Spellman is responsible for conducting classification, job evaluation, and human resource process consulting projects. She has been conducting studies for our firm for 10 years and specializes in the areas of classification, communications, human resource strategy and process, and employee and management focus group meetings. Ms. Spellman has worked with various types of organizations including states, cities, counties, colleges and universities, and the federal government. Prior to joining the firm, Ms. Spellman spent 18 years with Ernst & Young's consulting practices where she was responsible for client and internal change management, communications, and training strategies. She has also held state executive and legislative positions addressing a wide range of human resource and related issues. Ms. Spellman has a Bachelor's Degree in Sociology/Political Science from Arizona State University and a Master's Degree in Public Administration with an emphasis in Organizational Development from the same institution. Ms. Spellman has conducted work throughout the country and within Texas.

#### **ANNETTE HOEFER, MBA, CCP – Senior Consultant**

Ms. Hoefer is responsible for conducting classification and compensation consulting projects. She has been conducting classification and compensation studies for our firm for 10 years and specializes in the areas of classification, job evaluation and compensation, personnel systems and policy development, performance management systems, employee communications, strategy discussions, pay administration planning, and focus group facilitation. Ms. Hoefer has worked with various types of organizations including states, cities, counties, colleges, universities, special districts, and private sector organizations. Prior to joining the firm, Ms. Hoefer worked for 9 years in the same capacity at Lee and Burgess Associates, a consulting firm based in Colorado, and prior to that, had held human resources positions in energy and insurance companies. Ms. Hoefer has a Bachelor's Degree in Business Administration from the University of Iowa and a Master's Degree in Business Administration with an emphasis in Human Resources from same institution, and has earned her CCP certification from *WorldatWork*.

#### **NICHOLE ARKO, MBA, CCP – Compensation Support**

Ms. Arko is a Consulting Associate of the firm. She is responsible for providing classification and compensation consulting support in all phases of the project. Ms. Arko has worked with a variety of public and private sector organizations, including cities, counties, museums and colleges. Prior to joining the firm, Ms. Arko spent 10 years in a variety of consultative compensation positions in healthcare, environmental services and manufacturing organizations. Ms. Arko has a Bachelor's Degree in Marketing from Arizona State University and a Master's Degree in Business Administration from the same institution. She is also a member of the Arizona Total Rewards Association and *WorldatWork* and has earned her CCP certification.



## SCOPE OF INVOLVEMENT OF CITY STAFF

Information and assistance requirements from the City:

During this project we are mentors to the City and provide work products that fit your needs. In order to perform this project, we anticipate reasonable support from the City in the following areas, for example:

- Discussing the City's current systems;
- Scheduling of meetings;
- Timely and consolidated response to requests for information and the review and discussion of our work product.



## SALARY STUDY APPROACH & METHODOLOGIES

In conducting salary studies, we follow professionally accepted compensation principles and practices as outlined by *WorldatWork*, SHRM, the U.S. Department of Justice and the Federal Trade Commission. Some of these guidelines are listed on the following pages. We have also authored many articles on various aspects of conducting salary studies; please refer to our website [www.ajg.com/compensation](http://www.ajg.com/compensation) for these specific articles.

- We follow guidelines for benchmark selection in terms of how many benchmarks should be selected; either at least 30% if utilizing a formal job evaluation methodology or at least 50% if using a pure market approach. We include representation of all job families and levels throughout the organization; highly populated jobs; jobs found in most comparator organizations; and jobs with recruitment or retention problems.
- We review job descriptions to ensure the duties and responsibilities are understood as well as to make sure we understand the level that the job is functioning at and that reporting relationships are understood so that participating organizations can match their classifications to the benchmark jobs. We will draw on our 30+ years of salary and benefits survey experience to determine if we believe a comparable job can be found in the labor market.
- We follow guidelines for job matching (match only those jobs that match at least 80% of the duties, responsibilities and functions as outlined in the benchmark job summary).
- We follow professionally accepted guidelines for defining labor markets and selecting organizations to survey. We factor in that different jobs will have different recruiting markets, by type of organization, size of organization, and geographic location.
- Any published sources utilized must meet the following criteria:
  - Conducted by a reputable salary survey firm.
  - Survey data is not self-reported.
  - Survey reports its data sources, the effective date of the data, and was tested to ensure accurate matches and data.
- For surveys, the questions in our data collection form have been field tested through over 30 years of salary and benefits experience to produce valid and accurate data. We pose questions in a fashion easy for participants to answer, as well as providing ease for quantification and analysis. Participants are given the option of completing the survey electronically or in hardcopy.
- We follow-up with participants to ensure data quality and validity of matches and data being reported. If there are questions, we seek job descriptions, organizational charts and other information and weekly status updates on the progress of the compensation study are provided.



- We perform several reviews of the data as well as statistical tests to identify any extreme data and to ensure the validity of the data.
- We utilize trend factors for aging data so that all data is consistent to a current point in time. The trend factors are derived from either the U.S. Department of Labor data or *WorldatWork* Surveys.
- We apply geographic differentials as appropriate to ensure that the data are reflective of your labor market and economic conditions. We use third party resources (Economic Research Institute) to identify the appropriate geographic differentials.
- We calculate various statistics for summarizing the data (means, medians, highs, lows, percentiles).
- We follow the U.S. Department of Justice and Federal Trade Commission guidelines that 5 matches should exist per job in order to draw reliable conclusions. Therefore we do not calculate statistics (means, medians, etc.) on jobs with fewer than 5 job matches.
- We submit our survey analysis and draft report internally through our firm's quality control process for review before it is submitted to our clients.
- We document and explain our methodology and processes in written reports and also provide electronic copies of the reports. All of the data and conclusions are transparent and auditable.

Gallagher has comprehensive quality and performance standards. Each deliverable is reviewed by two individuals in the firm for quality control. If clients have issues that need to be addressed, the first contact is the project manager who will attempt to resolve the issues with, as necessary, the assistance of one of the Managing Directors.



## STUDY PROCESS AND TOOLS

We have developed a systemic approach to the project to ensure that the project phases work together. We will maintain continual communications with the City on all progress and significant decisions regarding processes and approaches so that the City has an opportunity to contribute to the process as well as have the information you need in order to make informed decisions.

Specific strategies and methodologies to be utilized throughout each phase of the project will be dependent upon the results of the project kick-off meetings and the overall goals and objectives of the City. Specific methodologies will be discussed with the appropriate project team members prior to formal presentation and/or implementation of said strategies.

The following pages contain examples of forms, questionnaires and instruments that have been utilized on other similar projects. It is important to note that the actual documents that will be utilized for the City's project will be customized based on the information obtained during Phase I of the project.



## UNDERSTANDING OF PROJECT OBJECTIVES

The goal of the City is to assess and update the current market salary and benefit programs utilizing industry accepted practices and methods that are in accordance with federal and state laws. Typical organizational objectives regarding pay include:

- Attract and retain qualified workers;
- Provide fair salaries and benefits to employees; and,
- Ensure competitive positioning within the industry and geographic area in which the City competes for talent.

We will guide the City in updating its market salary structure and its benefits programs that take into account the unique nature of your organization and the services offered while ensuring alignment with the City's overall philosophy and goals.

Specifically, we understand that the City has identified the following specifications for the market salary and benefits study:

- Thorough review of the current compensation system in order to effectively assess internal equity and prepare for assessing external market parity;
- Conduct of a comprehensive survey to targeted comparator organizations that includes pay and benefits elements;
- Comprehensive analysis of market data against the City's current systems;
- Recommendations for adjustments to current salary structures and individual employee pay that takes into consideration internal equity and external market data;
- Assessment and recommendations related to supplemental pay and benefits offerings;
- Delivery of final report that summarizes methodologies, findings and recommendations;
- Presentation of final report to the City Manager, Project Team and City Council.



**PROPOSED WORK PLAN AND DETAILED TIMELINE**

We are prepared to commence the work within two weeks of receiving your authorization to proceed. We will establish specific deadlines for major milestones within each phase at the onset of the project while adhering to the project completion date specified in the RFP. We will conduct regular conference calls with the City to ensure that the schedule is monitored throughout the project. The major obstacle to conducting a custom survey within the City's desired schedule is the availability and desire of survey participants to provide responsive data in a timely manner.

<u><i>Study Phase</i></u>	<u><i>Summary Tasks/Deliverables</i></u>	<u><i>Timeline*</i></u>
<b>I. Strategy</b>	<ul style="list-style-type: none"> <li>▪ Organization &amp; salary material collected.</li> <li>▪ Client communication process confirmed.</li> <li>▪ Project timetable confirmed.</li> <li>▪ Confirmed or updated compensation philosophies and strategies.</li> <li>▪ Identification and assessment of the relevance of compensation for recruiting and retention.</li> </ul>	January 2018
<b>II. Internal Equity Review</b>	<ul style="list-style-type: none"> <li>▪ Presentation of job evaluation tools for consideration by the City.</li> <li>▪ Application of job evaluation tool in use or otherwise selected to City jobs.</li> <li>▪ If applicable, training for applicable City staff in the use of selected job evaluation system.</li> <li>▪ Internal equity ratings for current classification system finalized.</li> </ul>	January 2018 February 28, 2018 February 2018 March 1, 2018
<b>III. Market Salary and Benefits Analysis</b>	<ul style="list-style-type: none"> <li>▪ Labor market confirmed and survey participants confirmed.</li> <li>▪ Benchmark jobs confirmed.</li> <li>▪ Custom survey developed that includes: cash compensation, including base pay, cash supplements, certification pay, and/or other applicable cash payments; employer paid insurance premium contributions for health, dental, vision, life insurance and AD&amp;D insurance; paid leave benefits; and/or other applicable pay and benefits items identified in Phase I.</li> <li>▪ Data collected from comparator organizations and verified.</li> <li>▪ Competitive analysis performed.</li> <li>▪ Diagnostic review of current salary structures conducted to identify opportunities for simplification.</li> <li>▪ Recommended pay structure or update of existing structure.</li> <li>▪ Recommended updates to the City's supplemental pay and benefits programs.</li> <li>▪ Implementation recommendations and up to 3 different costing scenarios.</li> <li>▪ Transition options and next steps/costs outlined.</li> </ul>	January 2018 January 2018 February 5, 2018 February 28, 2018 March 15, 2018 March 20, 2018 March 25, 2018

\*Dates are tentative and subject to contract award and finalization



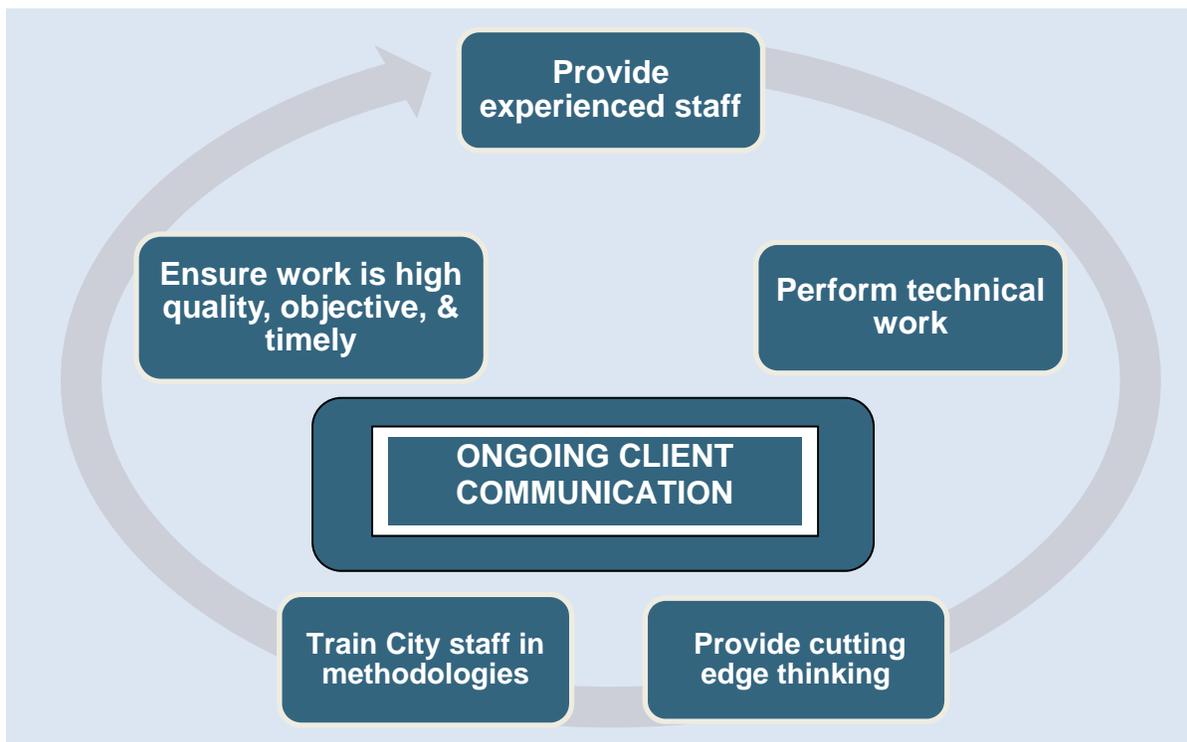
<i>Study Phase</i>	<i>Summary Tasks/Deliverables</i>	<i>Timeline*</i>
<b>IV. Project Finalization</b>	<ul style="list-style-type: none"> <li>▪ Draft report developed.</li> <li>▪ Quality assurance reviews conducted.</li> <li>▪ Organization review and feedback.</li> </ul>	March 30, 2018
	<ul style="list-style-type: none"> <li>▪ Final report submission to the organization and discussion with the City's project team.</li> </ul>	April 10, 2018
	<ul style="list-style-type: none"> <li>▪ Presentation to applicable stakeholders, including the City Council.</li> </ul>	April 23, 2018

\*Dates are tentative and subject to contract award and finalization

Deliverables include:

- Compensation Philosophy and Strategies Confirmed.
- Market survey results (including supplemental pay and benefits).
- Determination of competitive position of the City's current pay and benefit programs.
- Recommendations for changes to the City's pay structure and benefits programs.
- Recommendations on changes to internal alignment based on selected job evaluation methodology.
- Up to three different pay system implementation strategies.
- Training for applicable staff in the maintenance of the new compensation plan and, if applicable, the selected job evaluation methodology.
- Final report delivery and presentation.

### **Client Relationship Process**





**DETAILED PROJECT FEES**

We understand the importance of this analysis. Therefore, we have proposed a fee schedule that is sensible and that generates project results that will add value to the City. It will provide the flexibility necessary to attract, retain, and motivate employees to provide quality services and ensure the system is not an administrative and/or costly burden to the City, now or in the future. Our fees to conduct the project will not exceed **\$97,500**, as detailed below.

DESCRIPTION	TOTAL
<b>Phase I - Study Initiation &amp; Compensation Philosophy (onsite meeting)</b> <ul style="list-style-type: none"> <li>▪ Review &amp; Finalization of Work Plan/Schedule/Collection of job documentation</li> <li>▪ Review and Confirmation of Tool for Internal Alignment</li> <li>▪ Facilitation/Confirmation of Compensation Philosophy</li> </ul>	\$10,000
<b>Phase II – Job Evaluation</b> <ul style="list-style-type: none"> <li>▪ Review and Analysis of Job Documentation</li> <li>▪ Job Evaluation Ratings/Allocation Recommendations</li> <li>▪ Updated Draft/Final Class Specifications</li> </ul>	\$15,000
<b>Phase III - Compensation Study</b> <ul style="list-style-type: none"> <li>▪ Development of Market Study Specifications</li> <li>▪ Develop and Distribute Custom Survey</li> <li>▪ Collect and Validate Market Data</li> <li>▪ Market Parity Analyses</li> <li>▪ Internal Equity Analysis</li> <li>▪ Development of Pay Structures</li> <li>▪ Assess Competitiveness of Supplemental Pay and Benefits</li> <li>▪ Implementation Options (up to 3 options)</li> </ul>	\$60,000
<b>Phase IV – Final Report (onsite meeting)</b> <ul style="list-style-type: none"> <li>▪ Draft Report</li> <li>▪ Final Report</li> <li>▪ Presentation</li> </ul>	\$12,500
<b>TOTAL</b>	<b>\$97,500</b>

\*Above fees assume 2 on-site visits (1 during Phase I and 1 during Phase III); if additional on-site visits are requested by the City, the visits would be billed at time and actual costs.

\*\*Additional analyses, if requested by the City, will be billed based on our 2018 billing rates identified below.

Our study costs are directly derived from estimating the number of hours needed to perform the work and the level of consultant charged with the work. Gallagher typically bills on a monthly basis up to the maximum of each deliverable. Any additional services provided will be billed at an hourly rate.

Our billing rates for 2018 are listed below:

LEVEL	RATE	LEVEL	RATE
Managing Director	\$475	Consultant	\$250
Senior Consultant	\$350	Consulting Associate	\$150

We would not like fees to be the major impediment to acquiring the most experienced provider to address these important issues. Although we believe the work plan presented is the optimal approach to achieving your objectives, we would be pleased to explore options that may reduce the fees to fit your current budgets.

## REFERENCES AND QUALIFICATIONS

Our firm has assisted several hundred public sector clients throughout the country with a variety of human resource issues. These projects have included from less than one hundred to more than 100,000 employees. Below is a sampling of Texas and other clients we have assisted with similar needs. Contact information is listed for each project. These projects are relevant in demonstrating our ability to meet the needs of the City and show considerable experience reviewing and developing classification and compensation systems. Our references will attest to the timeliness, quality and responsiveness of services we provide, as well as our knowledge of legal issues such as the ADA, EEO, and the FLSA, the classifications under study, and our skill and ability of dealing with organizations of your size and needs. We continue to provide ongoing services and complete additional projects for many of our clients. Our parent organization, GBS, serves approximately 1,300 public sector clients, including more than 420 cities, as well as a number of public sector organizations in Texas.

We believe our reputation is only as good as our most recent assignments and have provided the following references for engagements that encompass classification and compensation consulting services similar to those requested by the City.



**City of West University Place, TX**  
3800 University Boulevard  
West University Place, TX 77005

**Ms. Wendy Standorf**  
Human Resources Director  
713-662-5820  
[WStandorf@westutx.gov](mailto:WStandorf@westutx.gov)



**City of Deer Park, TX**  
710 East San Augustine  
Deer Park, TX 77536

**Mr. Bill Philibert**  
Human Resources/Risk Director  
281-478-7250  
[bphilibert@deerparktx.org](mailto:bphilibert@deerparktx.org)



**City of Bellaire, TX**  
7008 S. Rice Avenue  
Bellaire, Texas 77401

**Ms. Yolanda Howze**  
Director of Human Resources  
713-662-8270  
[YHowze@bellairetx.gov](mailto:YHowze@bellairetx.gov)



**City of Rosenberg, TX**  
2110 4<sup>th</sup> Street  
Rosenberg, TX 77471

**Ms. Joyce Vasut**  
Finance Director  
832-595-3350  
[joycev@ci.rosenberg.tx.us](mailto:joycev@ci.rosenberg.tx.us)



**City of Sugar Land, TX**  
2700 Town Center Boulevard North  
Sugar Land, TX 77479

**Ms. Shelly Freeman**  
Human Resources Business Partner  
281-275-2737  
[sfreeman@sugarlandtx.gov](mailto:sfreeman@sugarlandtx.gov)



## CONTRACT EXCEPTIONS

Gallagher Consulting will be pleased to negotiate contract terms acceptable to both organizations upon award. However, the following are specific areas that we would like to discuss:

### Section IV-Compliance and Standards:

- GBS requests hold harmless provision be reciprocal.  
GBS has a \$20M limitation of liability that needs to be added to the indemnification provision.

### Section XV-Insurance Requirements:

- GBS has a \$20M limitation of liability that needs to be added to the indemnification provision.

### Policy Requirements:

- Gallagher can only agree to name the City as an additional insured on its Commercial General Liability Policy (not Auto or Excess Liability).
- GBS cannot provide actual copies of policies but can provide certificates of insurance showing appropriate levels of coverage
- GBS's insurers are not required to provide advance notice of cancellation/non-renewal via the terms of the policies, so Gallagher cannot agree to provide prompt notice to its clients. Rather, any cancelled or non-renewed policy will be replaced with no coverage gap and a current Certificate of Insurance will be provided to the City.



EXHIBITS



**A. ADDENDUM RECEIPT ACKNOWLEDGMENT**

Bidder acknowledges receipt of the following Addenda:

Addendum #1 Dated Not Applicable Received \_\_\_\_\_

Addendum #2 Dated \_\_\_\_\_ Received \_\_\_\_\_

Addendum #3 Dated \_\_\_\_\_ Received \_\_\_\_\_

Addendum #4 Dated \_\_\_\_\_ Received \_\_\_\_\_

(If additional addendum are issued, add an extra sheet acknowledging receipt of the Addenda)

**B. LIABILITY AND WORKERS' COMPENSATION INSURANCE CERTIFICATION**

I do hereby certify that said company carries liability coverage and workers compensation insurance coverage that meets the requirements set forth in this RFP when performing work on this project for the City of Missouri City.

**Please note requested exceptions on page 42 of proposal.**

Furthermore, I certify that any subcontractor on the project shall provide the said company with a certificate relating that all employees of the subcontractor also are provided with workers' compensation insurance coverage. I will provide copies of all of these certificates to the City of Missouri City during the course of the project for all subcontractors working on the project. Not applicable

A certificate of liability and workers comp coverage must be submitted to the City before a contract will be executed.



**C. QUALIFICATIONS**

1. List the names that the bidder currently, has, or anticipates operating under, including the names of related companies presently doing business.

Gallagher Benefit Services, Inc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. List the names of companies, firms or organizations that own any part of the bidding organization.

Arthur J. Gallagher, Inc.  
\_\_\_\_\_  
\_\_\_\_\_

3. Years' experience in similar projects: 30

4. In the past ten years, has bidder ever defaulted on a project or failed to complete any work contracted for? If yes, provide details on a separate sheet.     No

5. In the past ten years, has bidder ever been terminated from a project it had contracted for? If yes, provide details on a separate sheet.     No

6. Is the bidder currently in any litigation or litigation? Provide details on separate sheet.  
No

7. In the past five years, has bidder ever refused to enter into contract for a project for which it was awarded a contract? No If yes, provide details on a separate sheet.

8. Provide a brief description of bidder's managerial structure including name and title of key personnel that will be involved in this project. You may include this information on a separate sheet.

Provided on Page 10 of proposal as follows:

\_\_\_\_\_  
Bruce Lawson, Managing Director; Ronnie Charles, Technical Advisor  
\_\_\_\_\_

9. What trades or services does the bidder ordinarily subcontract out?

Not applicable

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**D. PLAN OF WORK**

On a separate page(s) provide a detailed summary of your proposed plan of work.

See pages 37 and 38 of proposal; also, attached following this page.

**E. COST**

On a separate page(s) provide a detailed summary of your proposed cost.

See page 39 and 40 of proposal; also, attached following this page.



**PROPOSED WORK PLAN AND DETAILED TIMELINE**

We are prepared to commence the work within two weeks of receiving your authorization to proceed. We will establish specific deadlines for major milestones within each phase at the onset of the project while adhering to the project completion date specified in the RFP. We will conduct regular conference calls with the City to ensure that the schedule is monitored throughout the project. The major obstacle to conducting a custom survey within the City's desired schedule is the availability and desire of survey participants to provide responsive data in a timely manner.

<u>Study Phase</u>	<u>Summary Tasks/Deliverables</u>	<u>Timeline*</u>
<b>I. Strategy</b>	<ul style="list-style-type: none"> <li>▪ Organization &amp; salary material collected.</li> <li>▪ Client communication process confirmed.</li> <li>▪ Project timetable confirmed.</li> <li>▪ Confirmed or updated compensation philosophies and strategies.</li> <li>▪ Identification and assessment of the relevance of compensation for recruiting and retention.</li> </ul>	January 2018
<b>II. Internal Equity Review</b>	<ul style="list-style-type: none"> <li>▪ Presentation of job evaluation tools for consideration by the City.</li> <li>▪ Application of job evaluation tool in use or otherwise selected to City jobs.</li> <li>▪ If applicable, training for applicable City staff in the use of selected job evaluation system.</li> <li>▪ Internal equity ratings for current classification system finalized.</li> </ul>	January 2018 February 28, 2018 February 2018 March 1, 2018
<b>III. Market Salary and Benefits Analysis</b>	<ul style="list-style-type: none"> <li>▪ Labor market confirmed and survey participants confirmed.</li> <li>▪ Benchmark jobs confirmed.</li> <li>▪ Custom survey developed that includes: cash compensation, including base pay, cash supplements, certification pay, and/or other applicable cash payments; employer paid insurance premium contributions for health, dental, vision, life insurance and AD&amp;D insurance; paid leave benefits; and/or other applicable pay and benefits items identified in Phase I.</li> <li>▪ Data collected from comparator organizations and verified.</li> <li>▪ Competitive analysis performed.</li> <li>▪ Diagnostic review of current salary structures conducted to identify opportunities for simplification.</li> <li>▪ Recommended pay structure or update of existing structure.</li> <li>▪ Recommended updates to the City's supplemental pay and benefits programs.</li> <li>▪ Implementation recommendations and up to 3 different costing scenarios.</li> <li>▪ Transition options and next steps/costs outlined.</li> </ul>	January 2018 January 2018 February 5, 2018 February 28, 2018 March 15, 2018 March 20, 2018 March 25, 2018

\*Dates are tentative and subject to contract award and finalization



<u>Study Phase</u>	<u>Summary Tasks/Deliverables</u>	<u>Timeline*</u>
<b>IV. Project Finalization</b>	<ul style="list-style-type: none"> <li>▪ Draft report developed.</li> <li>▪ Quality assurance reviews conducted.</li> <li>▪ Organization review and feedback.</li> </ul>	March 30, 2018
	<ul style="list-style-type: none"> <li>▪ Final report submission to the organization and discussion with the City's project team.</li> </ul>	April 10, 2018
	<ul style="list-style-type: none"> <li>▪ Presentation to applicable stakeholders, including the City Council.</li> </ul>	April 23, 2018

\*Dates are tentative and subject to contract award and finalization

Deliverables include:

- Compensation Philosophy and Strategies Confirmed.
- Market survey results (including supplemental pay and benefits).
- Determination of competitive position of the City's current pay and benefit programs.
- Recommendations for changes to the City's pay structure and benefits programs.
- Recommendations on changes to internal alignment based on selected job evaluation methodology.
- Up to three different pay system implementation strategies.
- Training for applicable staff in the maintenance of the new compensation plan and, if applicable, the selected job evaluation methodology.
- Final report delivery and presentation.



**DETAILED PROJECT FEES**

We understand the importance of this analysis. Therefore, we have proposed a fee schedule that is sensible and that generates project results that will add value to the City. It will provide the flexibility necessary to attract, retain, and motivate employees to provide quality services and ensure the system is not an administrative and/or costly burden to the City, now or in the future. Our fees to conduct the project will not exceed **\$97,500**, as detailed below.

DESCRIPTION	TOTAL
<b>Phase I - Study Initiation &amp; Compensation Philosophy (onsite meeting)</b> <ul style="list-style-type: none"> <li>▪ Review &amp; Finalization of Work Plan/Schedule/Collection of job documentation</li> <li>▪ Review and Confirmation of Tool for Internal Alignment</li> <li>▪ Facilitation/Confirmation of Compensation Philosophy</li> </ul>	\$10,000
<b>Phase II – Job Evaluation</b> <ul style="list-style-type: none"> <li>▪ Review and Analysis of Job Documentation</li> <li>▪ Job Evaluation Ratings/Allocation Recommendations</li> <li>▪ Updated Draft/Final Class Specifications</li> </ul>	\$15,000
<b>Phase III - Compensation Study</b> <ul style="list-style-type: none"> <li>▪ Development of Market Study Specifications</li> <li>▪ Develop and Distribute Custom Survey</li> <li>▪ Collect and Validate Market Data</li> <li>▪ Market Parity Analyses</li> <li>▪ Internal Equity Analysis</li> <li>▪ Development of Pay Structures</li> <li>▪ Assess Competitiveness of Supplemental Pay and Benefits</li> <li>▪ Implementation Options (up to 3 options)</li> </ul>	\$60,000
<b>Phase IV – Final Report (onsite meeting)</b> <ul style="list-style-type: none"> <li>▪ Draft Report</li> <li>▪ Final Report</li> <li>▪ Presentation</li> </ul>	\$12,500
<b>TOTAL</b>	<b>\$97,500</b>

\*Above fees assume 2 on-site visits (1 during Phase I and 1 during Phase III); if additional on-site visits are requested by the City, the visits would be billed at time and actual costs.

\*\*Additional analyses, if requested by the City, will be billed based on our 2018 billing rates identified below.

Our study costs are directly derived from estimating the number of hours needed to perform the work and the level of consultant charged with the work. Gallagher typically bills on a monthly basis up to the maximum of each deliverable. Any additional services provided will be billed at an hourly rate.



Our billing rates for 2018 are listed below:

LEVEL	RATE	LEVEL	RATE
Managing Director	\$475	Consultant	\$250
Senior Consultant	\$350	Consulting Associate	\$150

We would not like fees to be the major impediment to acquiring the most experienced provider to address these important issues. Although we believe the work plan presented is the optimal approach to achieving your objectives, we would be pleased to explore options that may reduce the fees to fit your current budgets.

**DETAILED PROJECT FEES – BEST AND FINAL OFFER**

We understand the importance of this analysis. Therefore, we have proposed a fee schedule that is sensible and that generates project results that will add value to the City. It will provide the flexibility necessary to attract, retain, and motivate employees to provide quality services and ensure the system is not an administrative and/or costly burden to the City, now or in the future. Our fees to conduct the project will not exceed **\$98,500**, as detailed below.

DESCRIPTION	TOTAL
<b>Phase I - Study Initiation &amp; Compensation Philosophy (1 day onsite for meetings)</b> <ul style="list-style-type: none"> <li>▪ Review &amp; Finalization of Work Plan/Schedule/Collection of job documentation</li> <li>▪ Review and Confirmation of Tool for Internal Alignment</li> <li>▪ Facilitation/Confirmation of Compensation Philosophy</li> </ul>	\$10,000
<b>Phase II – Job Evaluation</b> <ul style="list-style-type: none"> <li>▪ Review and Analysis of Job Documentation</li> <li>▪ Job Evaluation Ratings/Allocation Recommendations</li> <li>▪ Updated Draft/Final Class Specifications</li> </ul>	\$15,000
<b>Phase III - Compensation Study</b> <ul style="list-style-type: none"> <li>▪ Development of Market Study Specifications</li> <li>▪ Develop and Distribute Custom Survey</li> <li>▪ Collect and Validate Market Data</li> <li>▪ Market Parity Analyses</li> <li>▪ Internal Equity Analysis</li> <li>▪ Development of Pay Structures</li> <li>▪ Assess Competitiveness of Supplemental Pay and Benefits</li> <li>▪ Implementation Options (up to 3 options)</li> </ul>	\$60,000
<b>Phase IV – Final Report (2 days onsite to facilitate a minimum of 4 meetings)</b> <ul style="list-style-type: none"> <li>▪ Draft Report</li> <li>▪ Final Report</li> <li>▪ Presentation</li> </ul>	\$13,500
<b>TOTAL</b>	<b>\$98,500</b>

\*Above fees assume 2 on-site visits (*1 day during Phase I and 2 consecutive days during Phase III to facilitate multiple meetings and present study findings*); if additional on-site visits are requested by the City, the visits would be billed at time and actual costs.

\*\*Additional analyses, if requested by the City, will be billed based on our 2018 billing rates identified below.

Our study costs are directly derived from estimating the number of hours needed to perform the work and the level of consultant charged with the work. Gallagher typically bills on a monthly basis up to the maximum of each deliverable. Any additional services provided will be billed at an hourly rate.



Our billing rates for 2018 are listed below:

LEVEL	RATE	LEVEL	RATE
Managing Director	\$475	Consultant	\$250
Senior Consultant	\$350	Consulting Associate	\$150

We would not like fees to be the major impediment to acquiring the most experienced provider to address these important issues. Although we believe the work plan presented is the optimal approach to achieving your objectives, we would be pleased to explore options that may reduce the fees to fit your current budgets.

**NOTE REGARDING ON-SITE MEETINGS:**

While on-site at the City during Phase I and Phase IV, if additional meetings occur outside of the number specified in the cost proposal, there will be no impact to the cost. For example, if five (5) meetings are conducted during the two consecutive days on-site during Phase IV there will be no additional cost for the City. However, if an ***additional day*** on-site is requested, there may be additional costs incurred by the City.



**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

**February 5, 2018**

**To:** Mayor and City Council  
**Agenda Item:** 10(a) Consider an ordinance amending the FY 2018 Adopted Budget  
**Submitted by:** Ketan Inamdar, Budget and Financial Reporting Manager

**SYNOPSIS**

Consider an ordinance amending the general budget for the fiscal year beginning July 1, 2017, and ending June 30, 2018; transferring various appropriations among accounts; appropriating supplemental revenue to various fund accounts; authorizing the appropriate city officials to take steps necessary to accomplish such transfers; making certain findings; and containing certain provisions relating to the subject; and consider the ordinance on the first and final reading.

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

- Maintain a financially sound City

**BACKGROUND**

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

The purpose of this amendment is to revise appropriations in various line items in the capital projects funds, the parkland dedication funds and the CDBG fund in accordance with the attached Exhibit A for the fiscal year 2018 Adopted Budget. The details and purposes are outlined in the Exhibit.

**BUDGET ANALYSIS**

See Exhibit A-Budget Amendment Details

**Purchasing Review:** N/A  
**Financial/Budget Review:** Edena J. Atmore, CPA, CGFO, CPM

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

**SUPPORTING MATERIALS**

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

**STAFF'S RECOMMENDATION**

Staff recommends approval of the ordinance for the 2<sup>nd</sup> quarter request for Fiscal Year 2018 Budget Amendments as presented.

**Director Approval:** Edena J. Atmore, CPA, CGFO, CPM

**Assistant City Manager/  
City Manager Approval:** Anthony J. Snipes, City Manager

**ORDINANCE NO. O-18- \_\_**

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING THE GENERAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, AND ENDING JUNE 30, 2018; TRANSFERRING VARIOUS APPROPRIATIONS AMONG ACCOUNTS; APPROPRIATING SUPPLEMENTAL REVENUE TO VARIOUS FUND ACCOUNTS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO TAKE STEPS NECESSARY TO ACCOMPLISH SUCH TRANSFERS; MAKING CERTAIN FINDINGS; AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT.**

\* \* \* \* \*

WHEREAS, by Ordinance No. O-17-15, passed and approved on June 19, 2017, the City Council of the City of Missouri City (the "City Council") approved and adopted the City of Missouri City, Texas, General Budget for the fiscal year beginning July 1, 2017, and ending June 30, 2018 ("fiscal year 2018"); and

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

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

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

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

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

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

Section 2. The General Budget of the City of Missouri City, Texas, for the fiscal year 2018 be, and is hereby, amended as set forth in Exhibit "A," budget transfers, which are attached hereto and incorporated herein by reference.

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

PASSED, APPROVED and ADOPTED on first and final reading this \_\_\_th day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

**Exhibit A-Budget Amendment Details**

Funding Source	Account Number	Account Number Description	FY 2018 Original Budget	FY 2018 Proposed Budget Amendment	FY 2018 Amended Budget	Purpose/Description
CERTIFICATES OF OBLIGATION	402-39200-00-000	Budgetary FB Unreserved	-	204,906	204,906	Transfer was completed in FY17
CERTIFICATES OF OBLIGATION	402-59611-40-402	Transfer To Fund 611- IT Replacement Fund	204,906	(204,906)	-	
CERTIFICATES OF OBLIGATION	611-39200-00-000	Budgetary FB Unreserved	-	(204,906)	(204,906)	Transfer was completed in FY17
CERTIFICATES OF OBLIGATION	611-49402-01-001	Transfer From Fund 402-General Gvt Project Fund	(204,906)	204,906	-	
PARKLAND DEDICATION FEES	201-52048-16-273	Park Materials and Supplies	15,000	(15,000)	-	Parkland Dedication Fund 201 now reclassified as Fund 273, specific to Park Zone 3
PARKLAND DEDICATION FEES	201-59273-16-999	Transfer to Fund 273, Park zone 3	-	15,000	15,000	
PARKLAND DEDICATION FEES	273-49201-01-001	Transfer from Fund 201, Park zone 3	-	(15,000)	(15,000)	Bicentennial Park- Security lighting (\$15,000)
PARKLAND DEDICATION FEES	273-58200-16-999	Park Improvements	-	15,000	15,000	
PARKLAND DEDICATION FEES	201-52048-16-275	Park Materials and Supplies	56,000	(56,000)	-	Parkland Dedication Fund 201 now reclassified as Fund 275, specific to Park Zone 5
PARKLAND DEDICATION FEES	201-59275-16-999	Transfer to Fund 275, Park zone 5	-	56,000	56,000	
PARKLAND DEDICATION FEES	275-49201-01-001	Transfer from Fund 201, Park zone 5	-	(56,000)	(56,000)	Quail Valley North Park and Independence Park upgrades including park amenities/access/additional playground ( \$50,000)
PARKLAND DEDICATION FEES	275-58200-16-999	Park Improvements	-	56,000	56,000	
PARKLAND DEDICATION FEES	201-52048-16-276	Park Materials and Supplies	108,000	(108,000)	-	Parkland Dedication Fund 201 now reclassified as Fund 276, specific to Park Zone 6
PARKLAND DEDICATION FEES	201-59275-16-999	Transfer to Fund 276, Park zone 6	-	108,000	108,000	
PARKLAND DEDICATION FEES	276-49201-01-001	Transfer from Fund 201, Park zone 6	-	(108,000)	(108,000)	American Legion park and Lexington Village Park upgrades
PARKLAND DEDICATION FEES	276-58200-16-999	Park Improvements	-	108,000	108,000	
PARKLAND DEDICATION FEES	201-52048-16-277	Park Materials and Supplies	18,000	(18,000)	-	Parkland Dedication Fund 201 now reclassified as Fund 277, specific to Park Zone 7
PARKLAND DEDICATION FEES	201-59277-16-999	Transfer to Fund 277, Park zone 7	-	18,000	18,000	
PARKLAND DEDICATION FEES	277-49201-01-001	Transfer from Fund 201, Park zone 7	-	(18,000)	(18,000)	Community Park Playground equipment additions
PARKLAND DEDICATION FEES	277-58200-16-999	Park Improvements	-	18,000	18,000	
PARKLAND DEDICATION FEES	201-52048-16-278	Park Materials and Supplies	255,000	(255,000)	-	Parkland Dedication Fund 201 now reclassified as Fund 278, specific to Park Zone 8
PARKLAND DEDICATION FEES	201-59278-16-999	Transfer to Fund 278, Park zone 8	-	255,000	255,000	
PARKLAND DEDICATION FEES	278-49201-01-001	Transfer from Fund 201, Park zone 8	-	(255,000)	(255,000)	First Colony Trail Head- Concrete Trail Improvements (\$57,500) and Riverstone Properties- Herrin Tract design (\$20,000)
PARKLAND DEDICATION FEES	278-58200-16-278	Park Improvements	-	255,000	255,000	
PARKLAND DEDICATION FEES	201-52048-16-279	Park Materials and Supplies	600	(600)	-	Parkland Dedication Fund 201 now reclassified as Fund 279, specific to Park Zone 9
PARKLAND DEDICATION FEES	201-59279-16-999	Transfer to Fund 279, Park zone 9	-	600	600	
PARKLAND DEDICATION FEES	279-49201-01-001	Transfer from Fund 201, Park zone 9	-	(600)	(600)	Freedom Tree Park landscaping
PARKLAND DEDICATION FEES	279-52048-16-999	Park Materials and Supplies	-	600	600	
PARKLAND DEDICATION FEES	273-39200-00-000	Budgetary FB Unreserved	-	(17,000)	(17,000)	Bicentennial Park upgrades including electrical panel (\$7000), drinking fountain replacements, benches etc(\$10,000)
PARKLAND DEDICATION FEES	273-58200-16-999	Park Improvements	-	17,000	17,000	
PARKLAND DEDICATION FEES	274-39200-00-000	Budgetary FB Unreserved	-	(1,012)	(1,012)	Buffalo Run Park Trail Improvement
PARKLAND DEDICATION FEES	274-52048-16-999	Park Materials and Supplies	-	1,012	1,012	
PARKLAND DEDICATION FEES	275-39200-00-000	Budgetary FB Unreserved	-	(94,000)	(94,000)	Quail Valley North Park and Independence Park upgrades including 20x20 picnic shelter updates (\$100,000)
PARKLAND DEDICATION FEES	275-58200-16-999	Park Improvements	-	94,000	94,000	
PARKLAND DEDICATION FEES	276-39200-00-000	Budgetary FB Unreserved	-	(118,000)	(118,000)	American Legion park and Lexington Village Park upgrades including addition to CIP( RR/Parking, utilities, paving, repairs) \$147,900 and Playground/surfacing/installation \$80,000
PARKLAND DEDICATION FEES	276-58200-16-999	Park Improvements	-	118,000	118,000	

**Exhibit A-Budget Amendment Details**

Funding Source	Account Number	Account Number Description	FY 2018 Original Budget	FY 2018 Proposed Budget Amendment	FY 2018 Amended Budget	Purpose/Description
PARKLAND DEDICATION FEES	277-39200-00-000	Budgetary FB Unreserved	-	7,760	7,760	Overbudgeted in FY18
PARKLAND DEDICATION FEES	277-58200-16-999	Park Improvements	-	(7,760)	(7,760)	
PARKLAND DEDICATION FEES	279-39200-00-000	Budgetary FB Unreserved	-	(46)	(46)	Freedom Tree Park landscaping
PARKLAND DEDICATION FEES	279-52048-16-999	Park Materials and Supplies	-	46	46	
PARKLAND DEDICATION FEES	280-39200-00-000	Budgetary FB Unreserved	-	(20,000)	(20,000)	Park plan/access
PARKLAND DEDICATION FEES	280-52048-16-999	Park Materials and Supplies	-	20,000	20,000	
PARKLAND DEDICATION FEES	283-39200-00-000	Budgetary FB Unreserved	-	(618)	(618)	Steep Bank Village bench/table, landscaping
PARKLAND DEDICATION FEES	283-52048-00-000	Park Materials and Supplies	-	618	618	
UTILITIES	542-39200-00-000	Surface Water Plant Construction FB	8,568,786	(187,418)	8,381,369	Increase for SWTP transmission mains- Riverstone project final payment
UTILITIES	542-58700-53-999-80020	Infrastructure Improvements	-	187,418	187,418	
CDBG	240-46000-17-240	Intergov Rev-CDBG Grant	511,090	(245,075)	266,015	Budget balance changes requested by Development Services Director and CDBG Coordinator
CDBG	240-46000-17-217	Intergov Rev-CDBG Grant	-	145,319	145,319	
CDBG	240-46000-17-216	Intergov Rev-CDBG Grant	219,901	(131,080)	88,821	
CDBG	240-46000-17-215	Intergov Rev-CDBG Grant	-	82,690	82,690	
CDBG	240-51001-17-240	Regular Salary	80,169	(10,901)	69,268	
CDBG	240-51302-17-240	Taxes SS	3,570	3,290	6,860	
CDBG	240-51305-17-240	Retirement	-	3,293	3,293	
CDBG	240-51403-17-240	ER-GRPHEAL	4,908	6,330	11,238	
CDBG	240-51408-17-240	LT Disable	-	153	153	
CDBG	240-51502-17-240	Cell Phone Allow.	281	259	540	
CDBG	240-51710-17-240	Workman Comp	-	73	73	
CDBG	240-53504-17-240	Contractual Services	181,684	283,559	465,243	
CDBG	240-53501-17-217	Print & Publications	1,743	(743)	1,000	
CDBG	240-56303-17-240	Membership & Subscription	900	90	990	
CDBG	240-56003-17-240	Training & Travel	4,200	(12)	4,188	
CDBG	240-56995-17-240	Other/Misc.	72,400	(52,400)	20,000	
CDBG	240-39200-00-000	Budgetary FB Unreserved	-	(84,845)	(84,845)	
TIRZ#1 REIMBURSEMENT	403-58050-40-430	Capital Outlay	660,767	(300,000)	360,767	
TIRZ#1 REIMBURSEMENT	403-59404-40-999	Trans to Fund 404	-	300,000	300,000	
TIRZ#1 REIMBURSEMENT	404-49403-01-001	Trans from Fund 403- Transp Prj Fund	-	(300,000)	(300,000)	Veterans Memorial project (\$200,000) and City Hall placemaking project (\$100,000)
TIRZ#1 REIMBURSEMENT	404-58200-10-999	Land Improvement	-	300,000	300,000	



## CITY COUNCIL AGENDA ITEM COVER MEMO

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 11(a) Resolution suspending the February 9, 2018 effective date of SiEnergy, LP's request to increase rates  
**Submitted by:** E. Joyce Iyamu, City Attorney

### SYNOPSIS

This Resolution suspends SiEnergy's request to increase gas rates for a period of 90 days to allow the City of Missouri City (the "City") time to study the request and to intervene in any proceeding related to the requested rate changes at the Texas Railroad Commission.

### STRATEGIC PLAN 2019 GOALS ADDRESSED

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

### BACKGROUND

On January 5, 2018, SiEnergy, LP ("SiEnergy") filed a Statement of Intent seeking to increase gas utility rates within the incorporated areas served by SiEnergy in central and south Texas. In the filing, SiEnergy asserts that it is entitled to a \$400,000 revenue increase, or a 22% increase, including gas costs, and a 35% increase over current adjusted revenues, excluding gas costs. 1,286 residential and 43 commercial customers in Missouri City would be impacted by the increase. SiEnergy serves City customers in Sienna Plantation, Riverstone, and Silver Ridge. Specifically, a residential customer could see an increase in his rate from \$15.00 to \$19.50 and a commercial customer could see a rate increase from \$30.00 to \$45.00. The other affected municipalities include the cities of Conroe, Fulshear, and Sugar Land, Texas. This item may be considered by the other aforementioned cities before February 9, 2018.

Section 104.102 of the Texas Utilities Code provides that a rate request made by a gas utility cannot become effective until at least 35 days following the filing of the application to change rates. SiEnergy has proposed an effective date of February 9, 2018. Section 104.107 of the Texas Utilities Code allows the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before the effective date, SiEnergy's rate request is deemed administratively approved.

The purpose of the resolution is to extend the effective date of SiEnergy's proposed rate increase to give the City time to review the rate-filing package, evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately the approval of reasonable rates. This resolution must be passed before February 9, 2018.

### BUDGET/FISCAL 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

The City's reasonable rate case expenses are reimbursable by SiEnergy.

**SUPPORTING MATERIALS**

1. Resolution

**STAFF'S RECOMMENDATION**

Consider adopting the resolution.

**Director Approval:** E. Joyce Iyamu, City Attorney

**Assistant City Manager/  
City Manager Approval:** Scott Elmer, Assistant City Manager

**RESOLUTION NO. R-18- \_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, SUSPENDING THE FEBRUARY 9, 2018 EFFECTIVE DATE OF THE SIENERGY, LP STATEMENT OF INTENT TO INCREASE RATES WITHIN INCORPORATED AREAS OF CENTRAL AND SOUTH TEXAS; TO PROVIDE THE CITY OF MISSOURI CITY WITH TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY SIENERGY, LP; AUTHORIZING PARTICIPATION WITH THE GULF COAST COALITION OF CITIES; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH SIENERGY, LP, AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT.**

\* \* \* \* \*

WHEREAS, on or about January 5, 2018, SiEnergy, LP ("SiEnergy") filed a Statement of Intent with the City of Missouri, Texas (the "City") and other affected central and south Texas municipalities, to increase rates within central and south Texas to be effective February 9, 2018; and

WHEREAS, the City retains its rights as a city with original jurisdiction, including the right to suspend a gas rate application; and

WHEREAS, SiEnergy has filed an application with the Railroad Commission, GUD No. 10679, that could become the docket into which appeals of City action on the SiEnergy filing are consolidated; and

WHEREAS, pursuant to Resolution No. R-12-24, adopted on August 6, 2012, the City is a member of the Gulf Coast Coalition of Cities ("GCCC"), a coalition of similarly situated cities served by SiEnergy that have joined together to review and respond to issues affecting gas utility rates in SiEnergy's service area; and

WHEREAS, pursuant to Section 104.107 of the Texas Utilities Code, the Gas Utility Regulatory Act grants the City the right to suspend the effective date of SiEnergy's proposed gas rates for 90 days after the date the rate change would otherwise be effective; and

WHEREAS, the City's consultants recommend that the City suspend the application for further review; and

WHEREAS, pursuant to Section 103.022 of the Texas Utilities Code, costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility; and

WHEREAS, the City Council finds that it is in the best interest of the City to suspend SiEnergy's application for further review; now therefore,

BE IT RESOLVED 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 Resolution are hereby found to be true and correct and are in all things incorporated herein and made a part hereof.

Section 2. That the City is authorized to protect the interests of the City and protect the interests of SiEnergy customers residing and conducting business within City limits.

Section 3. That the February 9, 2018 effective date of the rate increase request submitted by SiEnergy on or about January 5, 2018, be suspended to the maximum period allowed by law to provide the City with adequate time to review the proposed changes and to establish reasonable rates.

Section 4. That the City is a member of the GCCC in this proceeding and, subject to the City's right to terminate employment at any time, hereby authorizes the hiring of Thomas L. Brocato of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C., and Karl J. Nalepa of the consulting firm of ReSolved Energy Consulting, L.L.C. to review the Company's filing, negotiate with the Company, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of City action.

Section 5. That the City shall work with GCCC in the review and evaluation of whether the proposed rates are appropriate, fair, just, and reasonable, and, intervene as a necessary party in the Railroad Commission of Texas' consideration of the SiEnergy rate filing as it affects the customers in the City.

Section 6. That the City's reasonable rate case expenses shall be reimbursed by SiEnergy.

Section 7. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public, as required by law, and the public notice of the time, place, and purpose of said meeting was given as required.

Section 8. That a copy of this Resolution shall be sent to June M. Dively, SiEnergy, LP at 3 Lakeway Centre CT, Suite 110, Lakeway, Texas 78734 and to Thomas Brocato at Lloyd Gosselink Rochelle and Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED, APPROVED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney



**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 11(b) Resolution to Approve Firearms Purchasing Program for Peace Officers  
**Submitted by:** James Santangelo, Assistant City Attorney

**SYNOPSIS**

This item declares a public purpose in the establishment of a program that allows City peace officers to purchase firearms and accessory equipment from the City and have the cost of such equipment deducted from their wages in installments.

**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.

The purpose of this resolution is to declare a public purpose and benefit in the use of City funds to conduct a program in which peace officers employed by the City are permitted to purchase rifles and accessory equipment from the City and use them during the course of their duties as Missouri City peace officers. The purchase under this program takes place in installments in the form of payroll deductions from the officers until the full value of the firearms and any other purchased equipment is fully repaid to the City.

**BUDGET ANALYSIS**

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

**SUPPORTING MATERIALS**

1. Resolution

**STAFF'S RECOMMENDATION**

Staff recommends City Council adopt the resolution.

**RESOLUTION NO. R-18-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, APPROVING AND RATIFYING A FIREARMS PURCHASING PROGRAM FOR CITY OF MISSOURI CITY PEACE OFFICERS, AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

\* \* \* \* \*

WHEREAS, the fundamental duties of a peace officer of the City of Missouri City, Texas (the "City"), include serving the community, safeguarding lives and property, protecting the City's residents, and keeping the peace; and

WHEREAS, the City's Police Department and Fire Marshal's Office employ peace officers who, in performing such duties, may also encounter dangerous situations, including individuals with deadly weapons; and

WHEREAS, the City Council has determined that access to additional firearms by the City's peace officers would improve the performance of such duties and further the goal of safeguarding the residents of the City, thereby serving a public purpose; and

WHEREAS, the City Council finds it in the best interest of the residents of the City to approve and ratify a firearms purchasing program for the City's peace officers; 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 approves and ratifies a firearms purchasing program for City peace officers.

Section 3. The City Council of the City of Missouri City hereby declares that a firearms purchasing program for the City's peace officers serves a public purpose.

PASSED, APPROVED AND ADOPTED, this the \_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney



## CITY COUNCIL AGENDA ITEM COVER MEMO

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 11(c) Approval of 2017 Hazard Mitigation Plan  
**Submitted by:** Eugene Campbell Jr.

### SYNOPSIS

A resolution adopting the Fort Bend County 2017 Hazard Mitigation Plan Update

### STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

### BACKGROUND

An approved hazard mitigation plan is a federal requirement in order for Fort Bend County and Missouri City to remain eligible for some types of grants that are administered by the Texas Division of Emergency Management (TDEM), The Texas Water Development Board (TWDB) and the Federal Emergency Management Agency (FEMA). Like the County's Emergency Operations Plan, participating in the development of the hazard mitigation plan and adopting it by resolution allows Missouri City to maintain our eligibility without having to create and manage our own plan. The 2017 Hazard Mitigation Plan updates the 2011 update of the original plan and created in 2005. The update was completed by the Mitigation Planning committee comprised of County representatives, Missouri City representatives, other jurisdictional representatives, and a Stakeholders group consisting of interested groups, neighboring communities, business and academia. This plan was submitted for review in July of 2017 and has now been approved by both the State of Texas and FEMA.

The purpose of a mitigation plan is to rationalize the process of identifying and prioritizing actions that reduce (mitigate) the effects of natural hazards on a community. This plan includes:

- Identification of natural hazards that impact Missouri City and Fort Bend County
- A risk assessment that describes potential losses to physical assets, people and operations
- A set of goals, objectives, strategies and actions that will guide mitigation activities
- A detailed plan for implementing and monitoring the Hazard Mitigation Plan

This update identified fourteen (14) potential hazards with the highest potential for damaging physical assets, people and operations. These hazards in order of highest to lowest are:

- Extreme heat
- Drought
- Severe winter storms
- Hurricanes/tropical storms
- Tornadoes
- Wind storms
- Hail storms
- Wildfire
- Lightning

- Land subsidence
- Floods
- Dam/levee failure
- Earthquakes
- Expansive soils

Vulnerability assessments, loss estimations, and risk assessments were the result of careful consideration and a qualitative ranking process carried out by the Mitigation Planning Committee.

Finally, this update includes a mitigation strategy for both Fort Bend County and its participating jurisdictions. Missouri City’s appendix to the plan (appendix G) includes a list of prioritized mitigation projects and actions. Some are a continuation of existing projects and others are potential future projects. Identifications of these projects in the plan in no way commits Missouri City to their implementation. Mitigation projects and actions will be continually assessed and revised as the City’s priorities, specific events and/or routine updates require.

**BUDGET ANALYSIS**

Funding Source	Account Number	Project Code/Name	FY__ Funds Budgeted	FY__ Funds Available	Amount Requested
Budget	N/A	N/A	N/A	N/A	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. Resolution
2. Hazard Mitigation Plan, Appendix G – Missouri City

Fort Bend County 2017 Hazard Mitigation Plan Update (plan is available for review upon request)

**STAFF’S RECOMMENDATION**

Approve the resolution adopting the Fort Bend County Hazard Mitigation Plan

**Director Approval:** Eugene Campbell, Jr.

**Assistant City Manager/  
City Manager Approval:** Anthony J. Snipes, City Manager

**RESOLUTION NO. R-18-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, ADOPTING THE 2017 FORT BEND COUNTY HAZARD MITIGATION PLAN UPDATE; PROVIDING FOR REPEAL; AND PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

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

WHEREAS, Section 322 of the Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) requires local governments to develop a hazard mitigation plan as a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects; and

WHEREAS, the Code of Federal Regulations (CFR) in Title 44, Chapter 1, part 201, requires the City to prepare and adopt a local hazard mitigation plan every five years; and

WHEREAS a steering committee comprised of members of Fort Bend County (the “County”) and the City, selected and deemed appropriate by the Commissioners Court in its authority to do so as granted by the people, as well as the City’s leadership, was convened in order to assess the risks of hazards facing the County and the City and to make recommendations on actions to be taken to mitigate these hazards; and

WHEREAS, the plan incorporates the comments, ideas and concerns of the community and of the public in general, which such plan is designed to protect, ascertained through a series of public meetings, publication of the draft plan, press releases, and other outreach activities; and

WHEREAS, the 2017 Hazard Mitigation Plan Update includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

WHEREAS, the City Council now desires to take action to adopt the 2017 Hazard Mitigation Plan Update and its City appendix, NOW THEREFORE,

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

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

Section 2. The 2017 Fort Bend County Hazard Mitigation Plan Update, including the City's Hazard Mitigation Plan Update, attached as an annex thereto, is hereby adopted as an official plan of the City.

Section 3. The City departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to them.

Section 4. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the City Council, and this resolution shall not be interpreted so as to mandate any such appropriations.

Section 5. Repeal. Any resolution or part thereof in conflict herewith is hereby repealed.

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 \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney



**City of Missouri City**  
**Fort Bend County Hazard**  
**Mitigation Plan Update**

2017



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# Missouri City Annex

## Section 1: Organize and Review

This section contains a brief description of the City of Missouri City and its jurisdictional features. In addition, Section 1 contains the following details regarding Missouri City's:

- participation in the Fort Bend County HMP Update process,
- stakeholder engagement,
- public outreach strategy,
- incorporation efforts, and
- plan maintenance procedures.

*Population:	61,137
Size of Community:	30.3 sq. miles
*Population over 65 years old:	5,511
*Population under 16 years old:	15,966
*Economically Disadvantaged Population (\$0-\$20k) :	1,642

Missouri City is serviced by the following responders:

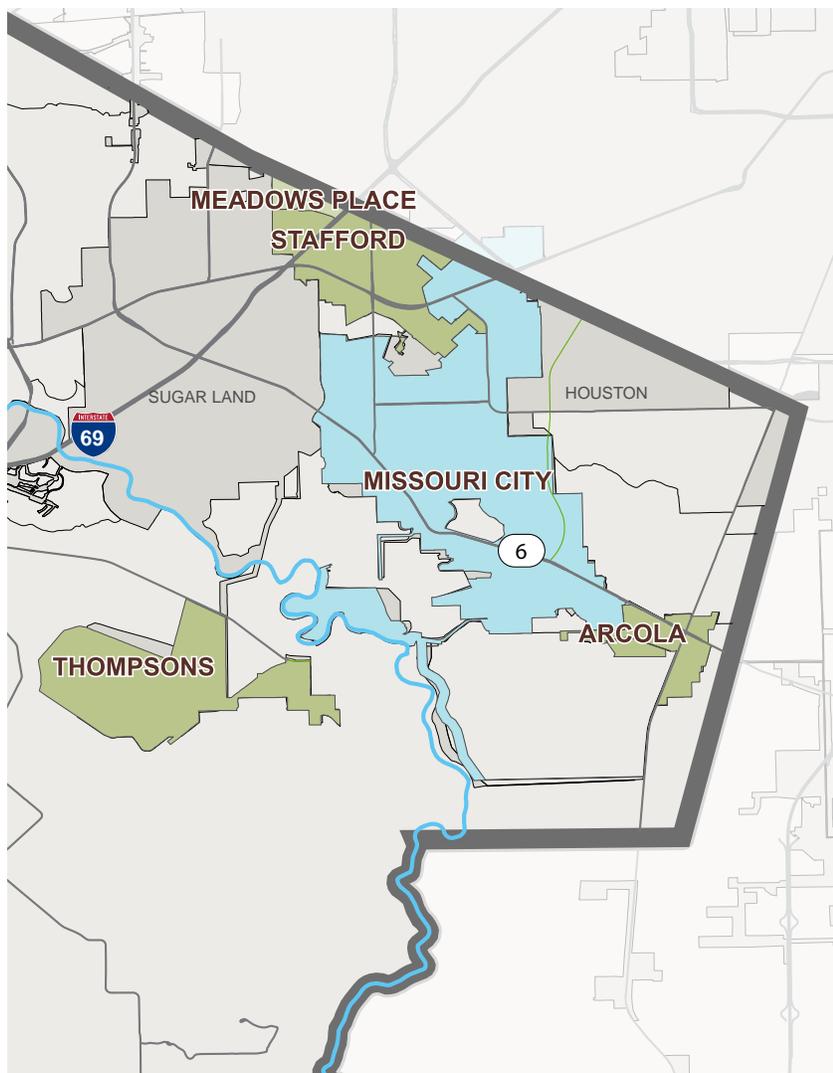
Fire: Missouri City Fire Department

EMS: Fort Bend Emergency Medical Service

Law Enforcement: Missouri City Police Department

*\*HAZUS-MH 3.2 Updated Census 2010 Population Estimates*

Figure MC.01, Missouri City Planning Area



### 1.1 Community Description

When planning, it is important to take into account the characteristics that make a community unique. Consideration of unique needs when it comes to mitigating or recovering from natural hazards ensures that all members of the community and their needs are addressed.

The City of Missouri City, known as “The Show Me City,” is located in east Fort Bend County, with Highway 6 cutting through the southern portion of the City. Additionally, a small portion of the northeast corner of Missouri City extends into Harris County. It is estimated that the population is a little over 74,500, which is approximately an 11% increase from the 2010 census. With a total area of over 30 square miles, the City maintains 20 developed parks totaling 393 acres.

Incorporated in 1956, Missouri City is governed as a general law City with a Mayor, Mayor Pro-Tem, and 5 council members. These elected officials are supported by a City Manager, Assistant City Manager, City Secretary, Fire Chief, Human Resources Director, Municipal

## Fort Bend County Hazard Mitigation Plan, Missouri City



Court Director, Police Chief, and Public Works Director. The City is protected by the Missouri City Police Department and the Missouri City Fire Department. According to the real estate website Movoto, Missouri City is one of the top 10 safest cities in Texas.

The Fort Bend Independent School District (ISD) serves the City. The major employers and utility providers are listed below in Figure MC.02 and Figure MC.03, respectively.

*Figure MC.02, Major Employers*

Business Type	Name of Employer
Retail	Wal-Mart
Financial	Brazos Valley Schools Credit Union
Financial	TDECU
Financial	Wells Fargo Bank
Technology	SERVPRO
Medical	First Choice Emergency Room

*(Fort Bend County Chamber of Commerce)*

*Figure MC.03, Utility Providers*

Type	Provider
Electric	CenterPoint
Water	Multiple Municipal Utility Districts

### Community Planning Involvement

MPC planning activities for the Fort Bend County Hazard Mitigation Plan (HMP) Update are captured in Figure MC.04, which utilizes check-marks to indicate each of the activities that were completed by the Missouri City MPC.

*Figure MC.04, City of Missouri City Plan Participation*

Meetings	Data Submission	Public Involvement
<ul style="list-style-type: none"> <li>✓ Kick-off</li> <li>✓ Risk Assessment</li> <li>✓ Mitigation Strategy</li> </ul>	<ul style="list-style-type: none"> <li>✓ Planner's Survey</li> <li>✓ Data Collection Spreadsheet/ GIS Data</li> <li>✓ Planning Worksheets</li> <li>✓ Phone Interview</li> </ul>	<ul style="list-style-type: none"> <li>✓ EventBrite Meeting Posting</li> <li>✓ Public Survey Posting/ Collection</li> </ul>



## 1.2 Outreach Strategy

The City of Missouri City was active in the outreach activities used to request public participation in the Fort Bend County HMP Update. Their activities included promotion of the HMP Public Survey, the use of EventBrite web tools for meeting announcements, plan phase newsletter distributions, and a draft plan public comment period.

### **Public Survey Promotion**

Missouri City advertised the Fort Bend County HMP Update Public Survey on the Missouri City homepage, <http://www.missouricitytx.gov>. There were 7 responses to the survey for the City and 377 total responses for the County-wide survey. Survey data was directly incorporated into the risk ranking process for hazards and mitigation actions. Details regarding the incorporation of the survey results are included in Chapter 2, the risk assessment portion of the main plan document.

### **EventBrite Public Meeting Postings**

Fort Bend County utilized EventBrite, an online event tool for organizing, promoting, and managing public events. By using this tool, the community made the risk assessment and mitigation strategy meetings public events that were searchable and open for registration for citizens as well as stakeholders.

### **Plan Phase Newsletters**

Missouri City MPC utilized newsletters for each phase of the planning process in order to share updates on the planning process with stakeholders, elected officials, City staff, and the public. Copies of the newsletters can be found in Appendix A of the Fort Bend County HMP Update.

### **Plan Draft Public Review and Comment Period**

The link to the draft Fort Bend County HMP Update was posted on the Missouri City website from July 14, 2017 until July 28, 2017. A hard copy was placed in the Missouri City Hall. Comments were collected via online form.

## 1.3 Incorporation of Sources

In addition to stakeholder and public input, the MPC also reviewed other planning resources that could provide useful information to the plan update process. Figure MC.05 lists the documents reviewed and how they were considered for incorporation in the updated plan.

*Figure MC.05, Review/Incorporation of Sources*

Name of Document	Type	How Incorporated
2013 State of Texas HMP	Plan	Utilized hazard definitions and hazard classification names.
Flood Insurance Study	Study	Incorporated best available hydraulic and hydrological study results for flood hazard profile.
Flood Damage Prevention Ordinance	Regulation	Reviewed existing ordinance for identification of potential higher standards, such as freeboard.
Fort Bend County Drainage Plan	Plan	Reviewed for flood, drought and land subsidence mitigation-related actions for incorporation into HMP.
Missouri City Comprehensive Plan		Reviewed plan for existing projects that could be included in the HMP, related to zoning for conservation, flood mitigation, thoroughfares for evacuation routes, consideration for hazard areas.
Missouri City Capital Improvements Projects		Reviewed for projects that have dedicated funding for inclusion in the HMP for flood, water conservation, land subsidence and drought hazards.

# Fort Bend County Hazard Mitigation Plan, Missouri City

Figure MC.05, Review/Incorporation of Sources

Name of Document	Type	How Incorporated
Missouri City Economic Development Plan	Plan	Reviewed plans for development to seek measures that will ensure safe growth within the City that will incorporate mitigation and green practices for sustainability.
Missouri City Local Emergency Plan		Reviewed for information regarding evacuation procedures for various hazards to include, flood, wildfire, dam/levee failure and hurricane.
Missouri City Continuity of Operations Plan		Reviewed for enhancements to continuity, such as needs for generators for inclusion as actions in HMP.
Missouri City Transportation Plan		Reviewed transportation plan to incorporate goals and actions related to mass transport, to address evacuations.
Missouri City Stormwater Management Plan		Reviewed for actions that would support surface water operations, flood control, and land subsidence mitigation.
Missouri City Wildfire Protection Plan		Reviewed for wildfire mitigation actions specific to long-term solutions and resiliency actions.
Building Code	Regulation	Reviewed for opportunities for enhancement relating to strengthening new developments within the community against hazards involving high velocity winds, flood waters, and geological hazards.
Fire Department ISO Rating		Reviewed for actions that could both mitigate wildfire but also increase the community ISO rating, resulting in better insurance rates for residents.
Zoning Ordinance		Reviewed for possible enhancements to ordinances that require mitigation reviews for each decision.
Subdivision Ordinance		Reviewed for options to reduce impervious cover, require sufficient egresses for evacuation, and properly manage stormwater.





## Section 2: Risk Assessment

### Missouri City's Jurisdictional Hazards

This section contains Missouri City's hazard profiles for each natural hazard included in the Fort Bend County HMP Update. Profiles include the following information:

- Location - the area where the hazard is known to occur.
- Previous Occurrences - a history of reported events for the hazard.
- Significant Previous Occurrences (when applicable) - notable hazard events within the community.
- Extent - the strength or magnitude of the hazard.
- Probability - the likelihood of the hazard event occurring in the future.
- Impact - the consequence or effect (or possible effect) of hazard events.
- Vulnerability Summary - identification of structures, systems, populations or assets susceptible to loss or damage.

Hazard descriptions and extent scales for hazard magnitudes, are found in Chapter 2, the risk assessment portion of the main plan document.

When available, data specific to Missouri City was used for hazard analysis. When no instances were reported specifically for the jurisdiction for regional hazards, County-level data was applied.

State and national datasets were used to determine occurrence, extent, and the respective probabilities, rather than verbal testimonies, in an effort to retain data consistency. For some hazards, the National Oceanic and Atmospheric Administration (NOAA) Storm Events Database was used as the most comprehensive data available for hazards. As a result, injury and damage amounts shown for previous hazard occurrences do not always reflect the most recent totals. The Previous Occurrences section for each hazard identifies instances in which this may occur. Verbal testimony, when available, was integrated into impact or vulnerability summaries.

### 2.1 Hazard Profiles

Hazards profiled within the Risk Assessment include:

- Drought - Within Chapter 2, the risk assessment portion of main plan document.
- Extreme Heat - Within Chapter 2, the risk assessment portion of main plan document.
- Severe Winter Storms - Within Chapter 2, the risk assessment portion of main plan document.
- Lightning - Within Chapter 2, the risk assessment portion of main plan document.
- Hailstorms
- Windstorms
- Tornadoes
- Expansive Soils
- Floods
- Land Subsidence
- Hurricanes/Tropical Storms
- Dam/Levee Failure
- Wildfires



**Hailstorms**

**Hailstorms: Location**

The entire extent of Missouri City is exposed to some degree of hail hazard. Since hail can occur at any location, hail events could be experienced anywhere within the planning area.

**Hailstorms: Previous Occurrences**

According to the NOAA Storm Events Database, there were 4 documented hail events listed for Missouri City and 37 documented events listed for Fort Bend County and its unincorporated jurisdictions from year 1961. While the NOAA Storm Events Database lists events since 1961 for the County, events were not documented per jurisdiction until 1995. The hail events reported for the City are shown in the Figure MC.06.

Fatality, injury and damage amounts are shown in Figure MC.06 per the NOAA Storm Events Database. Community testimony indicates that these amounts do not reflect the most recent totals, however NOAA data is being used as the best source of public information available for the record period.

Figure MC.06, Hail Occurrences, Missouri City

Location	Date	Type	Extent (mm)	Fatalities	Injuries	Property Damage (\$)	Crop Damage (\$)
MISSOURI CITY	7/17/1998	Hail	19.05	0	0	5,000	0
MISSOURI CITY	4/16/2001	Hail	69.85	0	0	2,000,000	0
MISSOURI CITY	4/7/2003	Hail	44.45	0	0	5,000	0
MISSOURI CITY	4/11/2004	Hail	25.4	0	0	15,000	0
<b>Total</b>				<b>0</b>	<b>0</b>	<b>\$2,025,000</b>	<b>\$0</b>

(National Oceanic and Atmospheric Administration, 2016)



**Hailstorms: Extent and Probability**

The Tornado and Storm Research Organization (TORRO) created a hail extent index to measure hail called the Hailstorm Intensity Scale. According to the reported previous hail occurrences in the planning area, the maximum hail extent experienced was up to 2.75 inches (69.85 mm) in diameter, corresponding to a TORRO Hailstorm Intensity Scale classification of “Destructive.” Refer to Chapter 2, the risk assessment portion of the main plan document, for hail extent scale descriptions.

Based on 4 reported events in 21 years, Missouri City can expect a hail event approximately every 5 years on average in the future, with hail up to 2.75 inches (69.85 mm) in diameter, corresponding to a TORRO Hailstorm Intensity Scale classification of “Destructive.” Therefore, there is a 19% chance of a hailstorm event in a given year.

**Hailstorms: Impact**

Hail events in the area have been reported to cause up to \$2,000,000 in property damages within a single event as seen in the NOAA reports for the City. Additional potential impacts can be determined based on the maximum hail extent experienced (2.75 inches/69.85 mm), where the TORRO Hailstorm Intensity Scale indicates that impact can be expected to include any of the following:





- Varying degrees of damage to vegetation and crops
- Damage to plastic structures
- Varying degrees of damage to glass
- Paint and wood scored
- Vehicle bodywork damage
- Bodywork of grounded aircraft dented
- Brick walls pitted
- Severe roof damage
- Risk of serious injuries

### ***Hailstorms: Vulnerability Summary***

Missouri City has experienced hail events but none that have caused specific damage or have identified any unique vulnerabilities. Most major equipment used by the City is kept under awnings, however police vehicles do not have a covered parking area. There is not a significant concern for any particular structure within the City, however, all roofs and uncovered vehicles face risk from hail damage. City Hall and other City structures are vulnerable to the conditions associated with an unprecedented extreme hail event, as the buildings have not been retrofitted or hardened against the potential impact to rooftops, windows and structure walls.





**Windstorms**

**Windstorms: Location**

The entire extent of Missouri City is exposed to some degree of wind hazard. Since wind can occur at any location, wind events could be experienced anywhere within the jurisdiction.

**Windstorms: Previous Occurrences**

According to the NOAA Storm Events Database, there were 3 documented wind events listed for the City and 51 documented events listed for Fort Bend County and its unincorporated jurisdictions from year 1955. While the database lists events since 1955 for the County, events were not documented per jurisdiction until 1994. The wind events reported for Missouri City are shown in Figure MC.07.

Fatality, injury, and damage amounts are shown in Figure MC.07, per the NOAA Storm Events Database. Community testimony indicates that these amounts do not reflect the most recent totals, however NOAA data is being used as the best source of public information available for the record period.

Figure MC.07, Reported Wind Events, Missouri City

Location	Date	Type	Extent (knots)	Fatalities	Injuries	Property Damage (\$)	Crop Damage (\$)
MISSOURI CITY	5/17/2015	Thunderstorm Wind	60 kts. EG	0	0	50,000	0
MISSOURI CITY	5/24/2015	Thunderstorm Wind	55 kts. EG	0	0	0	0
MISSOURI CITY	5/29/2015	Thunderstorm Wind	54 kts. MG	0	0	2,000	0
<b>Total</b>				<b>0</b>	<b>0</b>	<b>\$52,000</b>	<b>\$00</b>

EG - Estimated Gust

(National Oceanic and Atmospheric Administration, 2016)

**Windstorms: Extent and Probability**

Wind is measured by the Beaufort Wind Scale that relates wind speed to observed conditions on land and sea. According to the reported previous windstorm occurrences in the jurisdiction, the maximum wind extent experienced was 60 knots (Beaufort Wind Scale Classification: Violent Storm). Refer to Chapter 2, the risk assessment portion of the main plan document, for a description of wind extent scales.

Based on 3 reported events in 22 years, Missouri City can expect a wind event of up to 60 knots approximately once every 7 years on average in the future (Beaufort Wind Scale Classification: Violent Storm). Therefore, there is a 14% chance of a windstorm event in a given year.

**Windstorms: Impact**

Damages can be expected to be in line with the wind magnitude described in the Windstorm: Extent section. Previously reported magnitudes for the area indicate a “Violent Storm” wind extent, which is described by the Beaufort Wind Scale as involving trees being broken or uprooted as well as considerable structural damage. Mobile and manufactured homes are most susceptible to windstorm damage as they may not have been installed or anchored correctly and can be moved and overturned in high winds. According to HAZUS, the jurisdiction contains 225 mobile and manufactured homes which comprises approximately 1% of the total building count.





Additional impacts from extreme wind events could include downed utility poles, street signals, and debris on roadways resulting in obstructions for emergency responders and residents entering and leaving their homes.

Critical infrastructure could be disrupted, resulting in periods of impact of service to residents due to damages to the facilities themselves or lack of back-up utility resources.

***Windstorms: Vulnerability Summary***

Typical windstorm impacts in Missouri City result in debris on the roadways. Such incidents could negatively impact the ability of public safety officials to respond to emergency calls. Missouri City ensures that they will receive debris management removal services through 2 different debris management contractors. Electrical impacts are somewhat mitigated because the majority of the Missouri City power lines are subsurface and resistant to the strong winds associated with a windstorm event. City Hall and other City structures are vulnerable to the conditions associated with an extreme wind event, as the buildings have not been retrofitted or hardened against the impact to rooftops, windows and structure walls. Damages sustained by a windstorm to these facilities could hinder the ability to provide crucial services needed by the community.





**Tornadoes**

***Tornadoes: Location***

All locations within Missouri City are exposed to some degree of tornado hazard. Since tornadoes can occur at any location, tornado events can be experienced anywhere within the planning area.

***Tornadoes: Previous Occurrences***

According to the NOAA Storm Events Database, there was 1 documented tornado event listed for the City and 29 documented events listed for Fort Bend County since year 1950. While the database lists events since 1950 for the County, events were not documented per jurisdiction until 1993. The tornado event reported for Missouri City is listed in Figure MC.08.

Fatality, injury and damage amounts are shown in Figure MC.08, per the NOAA Storm Events Database. Community testimony indicates that these amounts do not reflect the most recent totals, however NOAA data is being used as the best source of public information available for the record period.

*Figure MC.08, Tornado Events, Missouri City*

Location	Date	Type	Extent	Fatalities	Injuries	Property Damage (\$)	Crop Damage (\$)
Missouri City	4/7/1993	Tornado	F1	0	0	50,000	0

*(National Oceanic and Atmospheric Administration, 2016)*

***Tornadoes: Extent and Probability***

Tornadoes are measured by severity on the Enhanced Fujita Scale, with a range from 0-6, 6 being the most catastrophic. According to the reported previous tornado occurrence in the jurisdiction, the maximum tornado extent experienced was a category F1. Refer to Chapter 2, the risk assessment portion of the main plan document, for a description of tornado extent scales, Fujita (F) Scale and Operational Enhanced Fujita (EF) Scale.

Based on 1 reported event in 23 years, Missouri City can expect a tornado event approximately once every 23 years on average in the future, with up to an F1 magnitude. Therefore, there is a 4% chance of a tornado event in a given year.

***Tornadoes: Impact***

The wind speeds and debris caused by tornadoes can impact all residents in the community. Missouri City has experienced a tornado at a F1 level in the past. If similar events were to happen in the future, the type of impacts that the planning area could expect associated with that magnitude would include:

- Light Damage - Broken branches; shallow rooted trees pushed over; some chimney damage.
- Moderate Damage - Surface damage to roofs; mobile homes pushed off foundation; moving vehicles pushed off the road.

(Tornado Facts, 2016)

Additional impacts from tornado events could include downed utility poles, street signals, and debris on roadways resulting in obstructions for emergency responders and residents entering and leaving their homes.

Critical infrastructure could be disrupted, resulting in periods of impact of service to residents due to damages to the facilities themselves or lack of back-up utility resources.





***Tornadoes: Vulnerability Summary***

Mobile and manufactured homes are most susceptible to tornado damage as they may not have been installed or anchored correctly and can be moved and overturned in high winds. According to HAZUS, the jurisdiction contains 225 mobile and manufactured homes which comprises approximately 1% of the total building count. Additionally, typical windstorm impacts in Missouri City result in debris on the roadways. This illustrates vulnerability as high winds and debris accompany tornadoes. Such incidents could negatively impact the ability of public safety

officials to respond to emergency calls.

City Hall and other City structures are vulnerable to the conditions associated with a tornado event, as the buildings have not been retrofitted or hardened against the impact to rooftops, windows and structure walls. Damages sustained by a tornado event to these facilities could hinder the ability to provide crucial services needed by the community. While there are no shelters within the community, there are agreements in place with Fort Bend County Office of Emergency Management to provide temporary accommodations to residents in County structures following a tornado. The City does not maintain outdoor warning signs, however the community is a part of the Greater Harris County 9-1-1 Emergency Notification System that allows them to deliver emergency messaging to residents via email, phone call and text.





## Expansive Soils

### *Expansive Soils: Location*

Figure 2.23 within Chapter 2 (the risk assessment portion of the main plan document) shows the location of expansive soil areas for the City. The entire extent of the jurisdiction is classified as having less than 50 percent of the area underlain by soils with clays of high swelling potential, therefore all of the jurisdiction is equally at risk.

### *Expansive Soils: Previous Occurrences*

There was no documentation of past site-specific events for structural damage due to expansive soils from local, State, or national databases queried.

Expansive soils cannot be documented as a time-specific event, except when they lead to structural and infrastructure damage. There are no specific damage reports or historical records of events in the City, however future events can occur.

### *Expansive Soils: Extent and Probability*

Considering the amount of swelling potential within the jurisdiction, as well as the lack of reported events, the probability of a future event is low (0 - 1 occurrences in the next 10 years affecting less than 5 structures).

### *Expansive Soils: Impact*

Foundation issues for slab buildings and road base pads for mobile homes offer the most visible impacts to infrastructure and structures. Undocumented reports of small cracks to foundation and terrain could possibly be attributed to the presence of expansive soils. Deeper and longer cracks, and possible structural shifting could occur with natural conditions that increase soil swelling.

### *Expansive Soils: Vulnerability Summary*

Besides new construction, a portion of the residences in the community were constructed when the City was not yet incorporated. Since building standards were not in place for this earlier development, it is possible that those structures have a higher vulnerability to the impacts of expansive soils.

There is a general lack of concern for this hazard due minimal reports of impact, lending to an absence of individual-level mitigation practices by structure owners. The community is seeking to expand on residential and commercial development in the future. The development of previously undeveloped areas could result in the discovery of previously undetected areas of expansive soils. The community would benefit from public information on the benefits of mitigation activities to reduce future vulnerability.





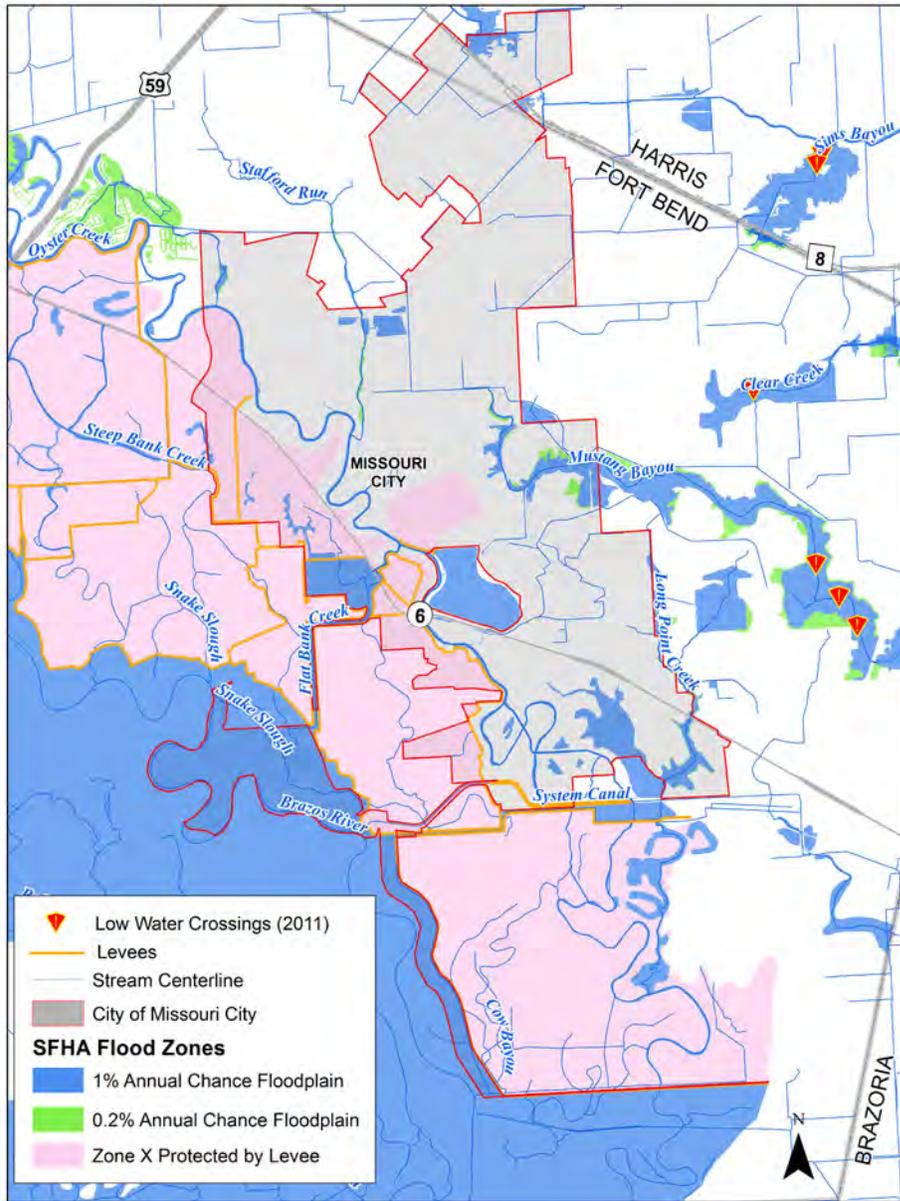
**Floods**

**Floods: Location**

The location of low water crossings, 1% (100-year) and 0.2% (500-year) Annual Chance Event (ACE) floodplains, as well as the Shaded Zone X - Protected by Levee SFHA's are shown in Figure MC.09. These are the locations within the planning area that are most affected by flooding. Figure MC.10 provides the total acreage in the jurisdiction that is located in the 1% and 0.2% floodplains as wells as Shaded Zone X - Protected by Levee.

X - Protected by Levee.

Figure MC.09, Special Flood Hazard Areas and Low Water Crossings, Missouri City



(Texas Natural Resources Information System, 2011)

Figure MC.10, Missouri City Floodplain Acreage

100yr (1%) Floodplain Acres (Includes Floodway)	500yr (0.2%) Floodplain Acres (Includes 100yr)	Shaded Zone X - Protected by Levee
3,278	3,791	2,846



**Floods: Previous Occurrences**

Fort Bend County was included in 3 Federal disaster declarations between 2015 and 2016, all related to flooding. Although there were no flood events reported specifically for Missouri City in the NOAA Storm Events Database, Figure MC.11 lists the 19 documented events reported for Fort Bend County and its unincorporated jurisdictions from year 1997. Due to the size and extent of some flood occurrences as well as the regional nature of reports in the NOAA Storm Events Database, the planning area may have been affected by many of the events that were reported for the surrounding areas.

Fatality, injury and damage amounts are shown in Figure MC.11, per the NOAA Storm Events Database. Community testimony indicates that these amounts do not reflect the most recent totals, however NOAA data is being used as the best source of public information available for the record period.

Figure MC.11, Flood Events, Fort Bend County

Location	Date	Type	Fatalities	Injuries	Property Damage (\$)	Crop Damage (\$)
SE COUNTY	1/27/1997	Flash Flood	0	0	5,000	0
COUNTY WIDE	4/25/1997	Flash Flood	0	0	5,000	0
FORT BEND (ZONE)	10/17/1998	Flood	0	0	0	0
COUNTY WIDE	10/18/1998	Flash Flood	0	0	10,000	0
COUNTY WIDE	10/18/1998	Flash Flood	0	0	0	0
FORT BEND (ZONE)	11/12/1998	Flood	0	0	0	0
COUNTY WIDE	11/12/1998	Flash Flood	0	0	3,000	0
COUNTY WIDE	5/30/1999	Flash Flood	0	0	50,000	0
EAST PORTION	6/7/2001	Flash Flood	0	0	0	0
EAST PORTION	6/8/2001	Flash Flood	0	0	0	0
EAST PORTION	6/9/2001	Flash Flood	0	0	0	0
COUNTY WIDE	8/30/2001	Flash Flood	0	0	50,000	0
SOUTH PORTION	8/31/2001	Flash Flood	0	0	750,000	0
CLODINE	11/23/2004	Flash Flood	0	0	0	0
TAVENER	5/12/2012	Flash Flood	0	0	50,000	0
CLODINE	4/27/2013	Flash Flood	0	0	1,000,000	0
CLODINE	5/26/2014	Flash Flood	0	0	0	0
CLODINE	5/25/2015	Flash Flood	1	0	0	0
HOBBY	10/31/2015	Flash Flood	0	0	0	0
Total			1	0	\$2,923,000	\$0

(National Oceanic and Atmospheric Administration, 2016)

**Floods: Significant Past Events**

Although there were no flood events reported specifically for Missouri City in the NOAA Storm Events Database, due to the size and extent of some flood occurrences as well as the regional nature of reports in the NOAA Storm Events Database, the City may have been affected by many of the events that were reported for the surrounding areas. Refer to Fort Bend Unincorporated Area’s Significant Occurrences for descriptions, to include the 3 previous Federal disaster declarations referred to in Previous Occurrences above.





**Floods: Extent**

Flood extent is described by a combination of ground elevation, river heights, 100-year Water Surface Elevations (WSE’s) and HAZUS depth grids. An example of flooding within the jurisdiction is the area along Oyster Creek and Glenn Lake Lane. Anticipated overbank water depths could impact community structures with up to 7 feet of floodwater during a 100-year event.

**Floods: Probability**

Probability has been calculated on the basis of NOAA reported events, as a standard, consistent calculation method for all hazards profiled with the Fort Bend County HMP. Based on 19 reported events in 19 years, a flood event occurs approximately once every year on average in Fort Bend County and its unincorporated jurisdictions. Due to the size and extent of some flood occurrences, as well as the regional nature of reports in the NOAA Storm Events Database, the Missouri City’s future probability is assumed to be similar to the surrounding County area. The City can expect a flood event approximately once per year on average in the future, with depths of up to 7 feet.

**Floods: Impact**

The following describes the inventory counts and building replacement values for the entire jurisdictional area.

Figure MC.12, Building Counts, Missouri City

Residential	Commercial	Other	Total
20,727	897	391	22,015

Figure MC.13, Building Replacement Value, Missouri City

Building (\$)	Content (\$)	Total (\$)
7,752,571,935	4,246,440,231	11,999,012,166

A Probabilistic 100-year Return Period HAZUS-MH 3.2 analysis was run for Missouri City. HAZUS results are calculated to census blocks. This analysis utilized the 2013 USGS National Elevation Dataset (NED) 1/3 arc-second Digital Elevation Model (DEM). These blocks were then intersected with the City to run a weighted area analysis to get jurisdictional results. The following describes results of the 100-year Return (1% Annual Chance Event) weighted area analysis.

**HAZUS-MH Results**

**General Building Stock Damage**

HAZUS estimates that 1 building will be at least moderately damaged within the City. “At least moderately damaged” is defined by HAZUS as greater than 10% damage to a building.

Figure MC.14, Building Damage Counts, Missouri City

Residential Buildings	Commercial Buildings	Other Buildings	Total Buildings
1	0	0	1

**Building-Related Losses**

Exposed Value is the total building and content values for structures within the community. The exposed value for the community is \$ 11,999,012,166. The total building-related losses were \$698,519 for this scenario. This represents 0.01% of the total replacement value of the community. Loss values are divided into building and content loss dollars.



Figure MC.15, Building-Related Losses, Missouri City

Building Loss (\$)	Content Loss (\$)	Total Loss (\$)
415,924	282,595	698,519



**Essential Facility Damage**

HAZUS does not estimate any critical facilities or infrastructure to be out of service for more than 1 day on the day of the event. Additionally, the model estimates that 100% of community hospital beds are available for use by patients already in the hospital and those injured by an event.

**Debris Generation**

HAZUS estimates the amount of debris that will be generated in this scenario at a total of 14 tons. If the building debris tonnage is converted to an estimated number of truckloads, it will require 1 truckload (with 1 to 25 tons per truck) to remove the building debris generated.

**Shelter Requirements**

HAZUS estimates the number of households that are expected to be displaced from their homes due to the flood and the associated potential evacuation. HAZUS also estimates those people displaced that will require accommodations in temporary public shelters. The model estimates 18 people will be displaced due to the flood. Displacement includes households evacuated from within or very near to the inundated area. Of these, 7 people will seek temporary shelter in public shelters.

**Floods: Vulnerability Summary**

There are 37 National Flood Insurance Program (NFIP) Repetitive Loss (RL) properties within the City. Most properties are affected by the dysfunction of the localized drainage system. Of the 44,275 parcels within Missouri City, 715 have at least some area within the 1% ACE (100-year) floodplain and 1,515 have at least some area within the 0.02% ACE (500-year) floodplain. The area of the City with the highest concentration of structures in the floodplain is located near the Willow Waterhole, located within the northern City limit of Missouri City.

**National Flood Insurance Program Repetitive Loss (RL)**

Missouri City is a current participant in the National Flood Insurance Program (NFIP) and has 120 tallied RL payments (as of February of 2017) with an average total (building & contents) payment of \$ 14,184.43.

Figure MC.16, Repetitive Loss Counts, Missouri City

Structure Type	Number of Structures	Amount of Claims
Residential	37	\$ 1,992,728.47
Non-Residential	0	\$0



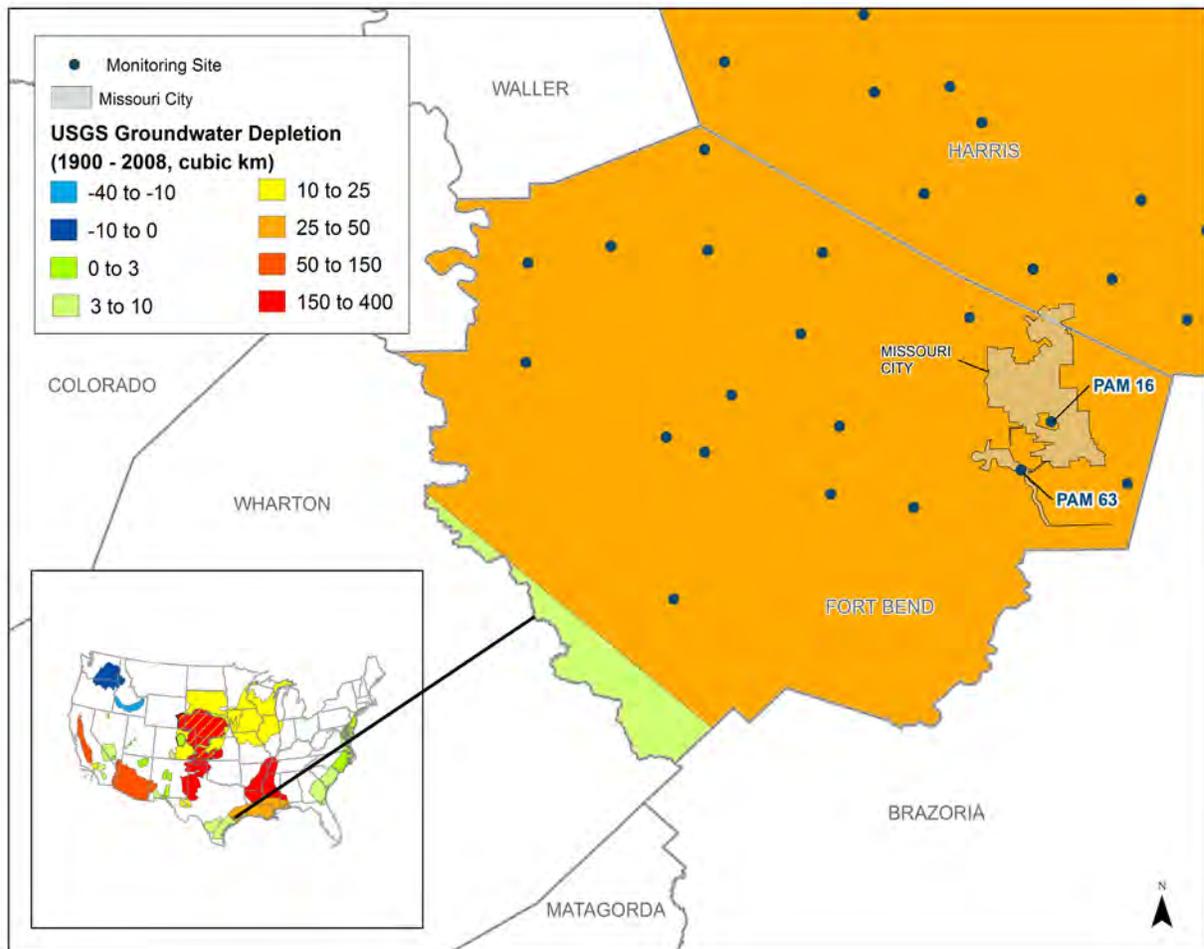


## Land Subsidence

### Land Subsidence: Location

Two major contributing factors to land subsidence are karst areas or groundwater depletion zones. Although the planning area is not within a designated karst region according to Texas Speleological Survey mapping, it is located within a known USGS groundwater depletion area, as illustrated in Figure MC.17 (Texas Speleological Survey, 2017). This figure shows groundwater depletion within the US from 1900 to 2008 where long-term depletion rates were calculated from 40 separate aquifers measuring the loss over that time. The City is in an area of the Gulf Coast Aquifer estimated to have had a cumulative annual depletion of 25 to 50 cubic km over 108 years (1900 to 2008) (Leonard F. Konikow, 2013). Figure MC.17 also shows the locations of recent study sites discussed in the next section.

Figure MC.17, Groundwater Depletion Zones, Missouri City



(Groundwater depletion in the United States (1900–2008), 2013)

### Land Subsidence: Previous Occurrences

Fort Bend Subsidence District was formed in 1989 to provide groundwater withdrawal regulations in an effort to mitigate future subsidence events and regulate all areas within the County. The District’s 2015 Annual Groundwater Report discusses compaction measurements taken from varied extensometer and GPS monitoring sites as part of a joint funding agreement with the District, the Harris-Galveston Subsidence District, the City of Houston, the Brazoria County Groundwater Conservation District, and the Lone Star Groundwater Conservation District. Extensometers measure deformation or displacement under a certain stress load, or in this case, compaction that is associated with land subsidence.





Extensometer sites that were equipped with GPS antennas atop the extensometers' inner pipe were used as Continuous Operating Reference Stations (CORS). Additional GPS sites were developed, Periodically Active Monitor Sites (PAMS), to calculate average weekly heights. This data was processed against the data calculated by the CORS sites to calculate subsidence rates at each site.

The site within Missouri City (PAM 63, illustrated on Figure MC.17), was listed in the report to have had -0.02 feet of subsidence in the year 2015 with cumulative recorded subsidence of -0.12 feet since the first recorded observation in May 1, 2007 (Fort Bend Subsidence District, 2015). There is an additional site located just outside of the City limits, PAM 16. This site was reported to have -0.01 feet of subsidence in 2015 with cumulative recorded subsidence of -0.31 feet since the first recorded observation in November 9, 2000. Although the PAM sites are in 2 specific locations, it can be assumed the rest of planning area would have similar rates of occurrence. It should be noted that the reported subsidence rates do not take into account other factors that could have possibly contributed, such as extreme weather or seismic activity, however it is the best data available.

### ***Land Subsidence: Extent***

Land subsidence extent can be calculated by the depth in feet that has been lost or that has given way. According to the recent studies detailed in the Land Subsidence Previous Occurrences, of the sites measured in and near the planning area, the most subsidence observed within 1 year was PAM 63 at a rate of -0.02 feet.

### ***Land Subsidence: Probability***

The occurrence of subsidence is an ongoing process resulting from natural and human-induced causes. As seen in Figure MC.17, the entire City is located within a known groundwater depletion area. With the documented occurrence of subsidence from recent studies, the probability of a future land subsidence event for Missouri City is high (probable in next 10 years) and can be assumed to be similar in extent to previous events in the area, up to -0.02 feet each year.

### ***Land Subsidence: Impact***

When considering the impact of land subsidence, it is important to note that any area within the groundwater depletion zone could have structures and infrastructure located in and around a potential subsided area. Since the entire planning area is located within the depletion zone, it is not possible to forecast which areas would be impacted from a future event. If an event were to occur, impacts could involve cracking and damage to roadways, bridges, and structure foundations of variable magnitude, depending on the width and depth of the subsided area. An event could also cause impact damaging sewage or utility lines, water wells, as well as changes in established drainage gradients. Additionally, finished floor elevations of structures could decrease, increasing possible impacts from flooding.

### ***Land Subsidence: Vulnerability Summary***

A lack of concern stemming from minimal reported impacts lends to less attention to mitigating the hazard, resulting in a general increase in vulnerability. As the community experiences periods of depletion of groundwater, the risk of land subsidence will increase, impacting the community. As water may become a scarcer resource in the State, and in the County, a lack of mitigation could lead to increased damage to structures and roads. The community would benefit from public information on the benefits of mitigation activities to reduce future vulnerability.



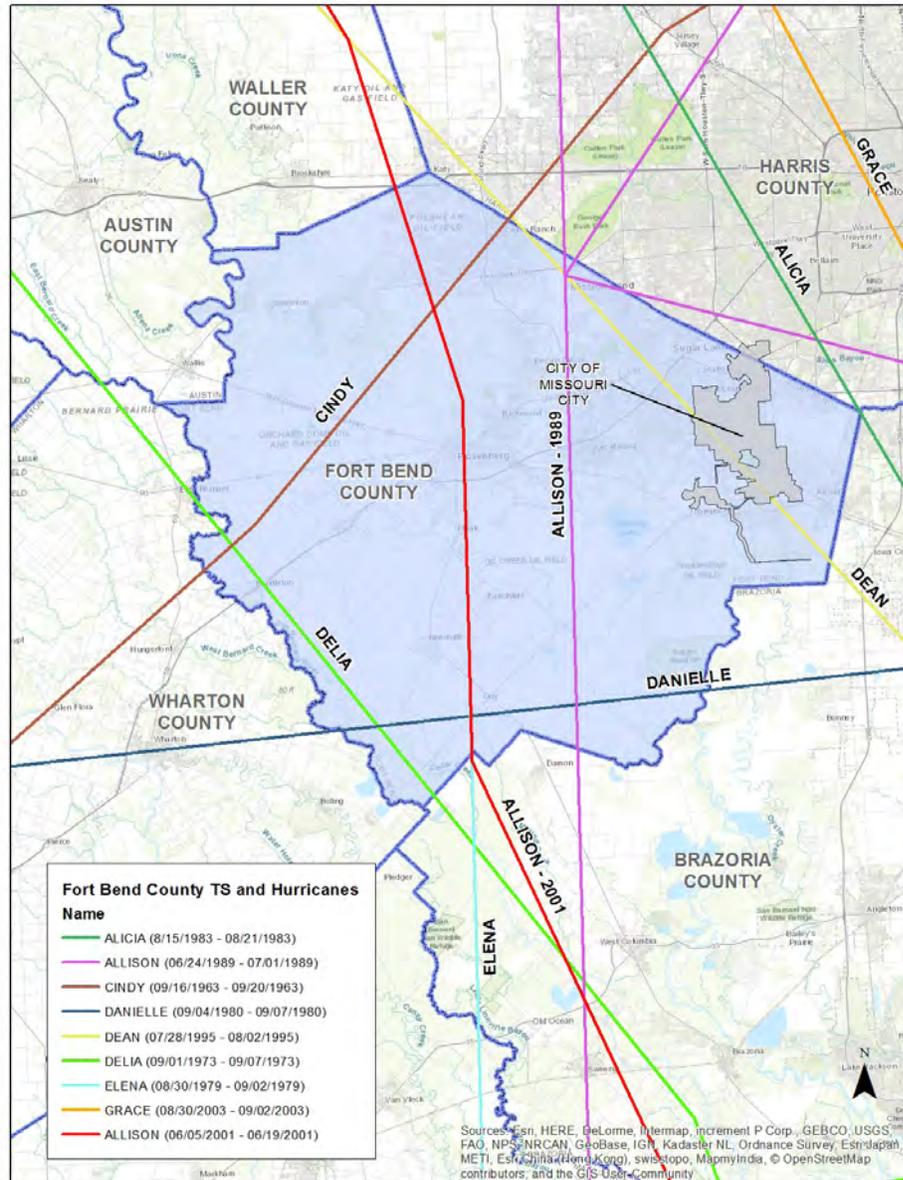


## Hurricanes/Tropical Storms

### Hurricanes/Tropical Storms: Location

Due to the regional nature of a hurricane or tropical storm event, all locations within Missouri City are equally exposed to a hurricane or tropical storm. Figure MC.18 illustrates the location of the planning area with historical hurricane and tropical storm paths documented by NOAA.

Figure MC.18, Historical Hurricane/Tropical Storm Paths, Missouri City



(National Oceanic and Atmospheric Administration, 2016)



### Hurricanes/Tropical Storms: Previous Occurrences

Previous events are listed in Figure MC.19 from NOAA Hurricane Tracker. Included events are those whose track, as defined as the path from the eye of the storm, was within 20 nautical miles of the County or those that are known to have impacted the area. Because hurricane and tropical storm events occur on a regional scale, all events that affected Fort Bend County have been included as they would impact Missouri City.

# Fort Bend County Hazard Mitigation Plan, Missouri City

Figure MC.19, Hurricanes/Tropical Storms Affecting Fort Bend County

Storm Name	Date	Classification (highest at recorded point nearest planning area)
Grace	08/30/2003 - 09/02/2003	Tropical Storm
Alicia	8/15/1983 - 08/21/1983	H3
Allison	06/24/1989 - 07/01/1989	Tropical Storm
Allison	06/05/2001 - 06/19/2001	Tropical Depression
Cindy	09/16/1963 - 09/20/1963	Tropical Depression
Danielle	09/04/1980 - 09/07/1980	Tropical Storm
Dean	07/28/1995 - 08/02/1995	Tropical Storm
Delia	09/01/1973 - 09/07/1973	Tropical Storm
Elena	08/30/1979 - 09/02/1979	Tropical Depression
Unnamed 1871	06/01/1871 - 06/05/1871	Tropical Storm
Unnamed 1888	07/04/1888 - 07/06/1888	Tropical Storm
Unnamed 1899	06/26/1899 - 06/27/1899	Tropical Storm
Unnamed 1900	08/27/1900 - 09/15/1900	H4
Unnamed 1915	08/05/1915 - 08/23/1915	H4
Unnamed 1921	06/16/1921 - 06/26/1921	H1
Unnamed 1932	08/12/1932 - 08/15/1932	H3
Unnamed 1938	10/10/1938 - 10/17/1938	Tropical Storm
Unnamed 1941	09/17/1941 - 09/27/1941	H2
Unnamed 1945	08/24/1945 - 08/29/1945	H1
Unnamed 1947	08/18/1947 - 08/27/1947	H1
Unnamed 1949	09/27/1949 - 10/07/1949	H2
Unnamed 1974	08/24/1974 - 08/26/1974	Tropical Depression
Unnamed 1980	07/17/1980 - 07/21/1980	Tropical Depression
Unnamed 1981	06/03/1981 - 06/05/1981	Tropical Depression

(National Oceanic and Atmospheric Administration Office of Coastal Management, 2017)

### Hurricanes/Tropical Storms: Significant Past Events

Since hurricane and tropical storm events can happen anywhere throughout the HMP update area and occur on a regional scale, the City would have been affected by the events that were captured as affecting the surrounding County area. Refer to Fort Bend Unincorporated Area’s Significant Occurrences for descriptions of significant events affecting the planning area.

### Hurricanes/Tropical Storms: Extent and Probability

The Saffir-Simpson Scale measures pressure, wind speed, and storm surge in 5 categories, 5 being the most catastrophic. According to the previous hurricane and tropical storm occurrences in the planning area, the maximum hurricane extent experienced were Category 4 hurricanes in 1900 and 1915. Refer to Chapter 2, the risk assessment portion of the main plan document, for a description of storm extents.





Based on 24 reported events in 145 years, a hurricane or tropical storm event occurs approximately every 6 years the planning area. In the future, the planning area can expect an event approximately once every 6 years on average, of up to a magnitude of a Category 4 Hurricane at a 100-yr Max Wind Speed of 110 mph based on historical extents and HAZUS analysis.

**Hurricanes/Tropical Storms: Impact**

A Probabilistic 100-year Return Period HAZUS-MH 3.2 analysis was run for Missouri City. The following describes the results of this analysis.

**HAZUS-MH Results**

**General Building Stock Damage**

The total property damage losses were \$265,669,000. The majority of damage can be expected to impact residential areas (93%). The remaining damages (7%) are for commercial, industrial, agricultural and religious buildings. While some building damage is experienced, it is estimated that no buildings will be completely destroyed or experience severe damage. Exposed Value is the total building and content values for structures within the community. Loss values are divided separately for building and content loss in dollars. Property damage losses are shown in Figure MC.20.

*Figure MC.20, Property Damage Losses, Missouri City*

Exposed Value (\$) (Building + Content)	Building Loss (\$)	Content Loss (\$)	Total Loss (\$)
11,999,012,166	221,500,000	44,169,000	265,669,000

**Essential Facility Damage**

HAZUS does not estimate any critical facilities or infrastructure to be out of service for more than 1 day on the day of the event. Three schools and 1 hospital are expected to receive at least moderate damage (greater than 50%). Before the hurricane, Fort Bend County had 345 hospital beds available for use. On the day of the hurricane, the model estimates that 22 hospital beds (only 6%) are available for use by patients already in the hospital and those injured by the hurricane. After 1 week, 30% of the beds will be in service. By 30 days, 100% will be operational.

**Debris Generation**

HAZUS estimates the amount of building and tree debris that will be generated by the hurricane. For the jurisdiction’s total building debris of 25,431 tons, brick and wood debris comprises 99% while concrete and steel comprises 1%. If the total building debris tonnage is converted to an estimated number of truckloads, it will require 1,018 truckloads (with 1 to 25 tons per truck) to remove.

The model also estimates that a total of 893 tons of tree debris will be generated. The number of tree debris truckloads will depend on how the 893 tons (8,930 cubic yards) of tree debris are collected and processed. The volume of tree debris generally ranges from approximately 4 cubic yards per ton for chipped or compacted tree debris to 10 cubic yards per ton for bulkier, uncompacted debris.





**Shelter Requirements**

HAZUS estimates the number of households that are expected to be displaced from their homes due to the hurricane and the number of displaced people that will require accommodations in temporary public shelters. The model estimates 151 households to be displaced due to the hurricane and 33 persons will require temporary shelter.

***Hurricanes/Tropical Storms: Vulnerability Summary***

Similar to the impacts of windstorms, hailstorms, and lightning, Missouri City can expect to be impacted with debris and possible utility interruptions of critical infrastructure during a hurricane or tropical storm event. City Hall and other City structures are vulnerable to the high wind, hail and heavy rainfall conditions associated with a hurricane or tropical storm event, as the buildings have not been retrofitted or hardened against the impact to rooftops, windows and structure walls.



Pages 23-26, Dam/Levee Failure have been redacted from this copy of the plan.





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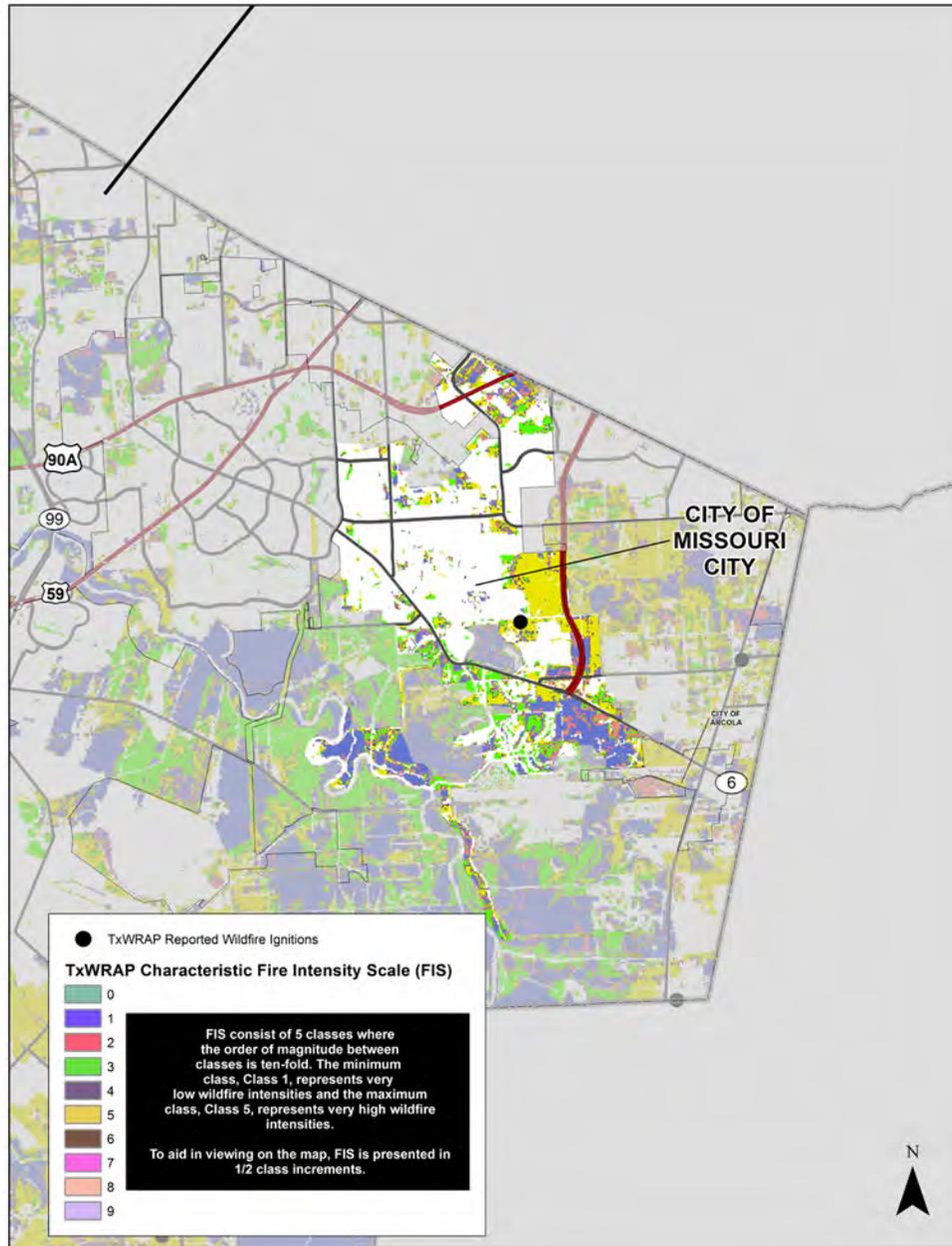


## Wildfires

### Wildfires: Location

The Texas A&M Forest Service Texas Wildfire Risk Assessment Portal (TxWRAP) can be used to help communities understand their wildfire risk. Figure MC.25 below shows the location of TxWRAP’s documented wildfire occurrences with Wildland Urban Interface (WUI) classifications within Missouri City. The WUI illustrates areas of development that are abutting natural areas. Here, communities and the built environment have an increased vulnerability to a wildfire event.

Figure MC.25, Fire Intensity Scale (FIS), Missouri City



(Texas A&M Forest Service, 2016)



## Fort Bend County Hazard Mitigation Plan, Missouri City

### Wildfires: Previous Occurrences

There has been 1 ignition reported according to TxWRAP and USGS Federal Fire Occurrence data for Missouri City. This event is listed in Figure MC.26. As of the data collection effort in 2016, the sources' available data ranged from the years 1980 to 2015.

Figure MC.26, Wildfire Ignitions, Missouri City

Fire Name	Date	Fire Size (Acres)
Lake Olympia	5/26/2006	303

NA - No data available

### Wildfires: Extent and Probability

Figure MC.27 lists the Fire Intensity Acreage for the City according to the Texas A&M Forest Service TxWRAP Community Summary Report. For a description of the Characteristic Fire Intensity Scale (FIS), refer to Chapter 2, the risk assessment portion of the main plan document.

Figure MC.27, TxWRAP Fire Intensity Acreage – Missouri City

Class	Acres	Percent
Non-Burnable	11,431	61.2 %
1 (Very Low)	2,299	12.3 %
1.5	730	3.9 %
2 (Low)	1,531	8.2 %
2.5	265	1.4 %
3 (Moderate)	2,404	12.9 %
3.5	23	0.1 %
4 (High)	0	0.0 %
4.5	0	0.0 %
5 (Very High)	0	0.0 %
Total	18,682	100.00%

There was 1 wildfire ignition report found for the City of Missouri City from TxWRAP or USGS Federal Fire Occurrence data. However, a wildfire can be ignited from a variety of sources including lightning or human activity such as campfires, smoking, arson, or equipment use. Therefore, the probability of a wildfire event in the future is moderate, 1-10 occurrences in the next 10 years with up to a potential fire intensity of 3.5, or "Moderate" classification on the TxWRAP Characteristic Fire Intensity Scale.

### Wildfires: Impact

Impact on the community can be measured using TxWRAP housing density levels within the WUI. Areas with a higher housing and population density would be affected to a greater extent than more rural areas, and especially areas near burnable fuels. Figure MC.28 lists the population, percent of total population, WUI acreage and percent of WUI acreage for Missouri City, according to the Texas A&M Forest Service TxWRAP Community Summary Report.



Figure MC.28, WUI Acreage, Missouri City

Housing Density	WUI Population	Percent of WUI Population	WUI Acres	Percent of WUI Acres
LT 1hs/40ac	7	0.0 %	745	9.4 %
1hs/40ac to 1hs/20ac	26	0.1 %	495	6.3 %
1hs/20ac to 1hs/10ac	89	0.4 %	709	9.0 %
1hs/10ac to 1hs/5ac	256	1.2 %	883	11.2 %
1hs/5ac to 1hs/2ac	834	4.0 %	1,361	17.2 %
1hs/2ac to 3hs/1ac	12,248	58.4 %	3,140	39.7 %
GT 3hs/1ac	7,495	35.8 %	578	7.3 %
Total	20,955	100.00%	7,911	100.00%



**Wildfires: Vulnerability Summary**

According to community testimony, a significant brush fire occurred in 2005 that burned approximately 150 acres. The fire occurred in an open field on the backside of a subdivision, however no structures were affected. Subdivisions abutting vegetated areas have increased vulnerability as these areas are close to burnable fuels and represent areas within the WUI.

The WUI within Missouri City also includes pipelines where channels cross the City. These pipelines exacerbate the dangerous conditions of a wildfire by increasing the chance of combustion through the introduction of natural gas.

Roads and ditches act as fire breaks and there are hydrants in some parts of the City that reduce vulnerability for structures. In addition, the community trash service provides a large item pickup once a month that provides residents with a means to remove brush and dead branches from their property. The community would benefit from public information detailing the benefits of using this service to mitigate against increased wildfire vulnerability. There are 4 fire stations within the City and 1 in the extraterritorial jurisdiction with an average response time of under 6 minutes throughout the planning area.

2.2 Risk Ranking Result

On February 28, 2017, the mitigation planning team from Missouri City completed a questionnaire as part of the Fort Bend County Hazard Mitigation Plan Update: Risk Assessment. The questions covered the risk associated with the hazards that affect each community based on the level of concern over each profiled hazard, the hazards’ impact on health and safety as well as property damage and business continuity. The answers from this questionnaire were combined with public survey results on perception of risk, and the values from both sources were analyzed using the Halff Risk Ranking Tool. The results provided a quantified ranking of risk with values ranging from 0 to 100. The results for the City are shown below on Figure MC.29 where hazard values are shown from highest to lowest risk. Ranking order and risk ranking value ties are attributed to little to no public survey participation for the community.

Figure MC.29, Risk Ranking Results, Missouri City

Ranking Order	Hazard	Risk Ranking Value
1	Extreme Heat	93
2	Drought	91
3	Severe Winter Storms	87
4	Hurricanes/Tropical Storms	84
5	Tornadoes	79
6	Wind Storms	78
7	Hail Storms	75
8	Wildfire	74
8	Lightning	74
10	Land Subsidence	67
11	Floods	60
12	Dam/Levee Failure	51
13	Expansive Soils	44
-	Earthquakes (not profiled)	-



## Section 3: Mitigation Strategy

This section examines the community’s ability to perform mitigation (review of existing capabilities, shown in Figure MC.30) and identifies specific actions to address vulnerabilities for each hazard profiled in the Fort Bend County HMP Update. The mitigation strategy is the application of actions into an approach for performing structural and non-structural mitigation efforts within the jurisdiction. Actions are also prioritized and considered for incorporation into other community programs, regulations, projects or plans.

Completed and canceled actions are also included in a separate section for future reference.

### 3.1 Existing Capabilities

Figure MC.30, Existing Capabilities, City of Missouri City

Capability Name	Capability Type	Ability to Expand/Improve
Mayor	Elected Official	Political support and funding for mitigation actions. Could attend mitigation information session to learn about community risks and mitigation strategy.
City Administrator	Staff	Support for implementation of mitigation actions. Could attend mitigation information session to learn about community risks and mitigation strategy.
Emergency Management Coordinator		Management of City-level HMP updates. Could attend advanced floodplain management training.
Engineer		Expertise in structural mitigation projects. Could attend advanced floodplain management training.
Police Chief		Assists with flood-related traffic control and evacuation planning. Participate in MPC.
Community Development Block Grant	Funding	Provides funding for projects that may meet mitigation goals and can also be used for supplementing local cost-share for Hazard Mitigation Assistance grant funding.
Ad Valorem Tax		Provides potential funding for Hazard Mitigation items.
Sales Tax		
Permitting Fees for Development		
Chapter 211 of the Local Government Code: Zoning	Authority	State-level code that authorizes the City to regulate zoning (State of Texas, 1987).
Chapter 213 of the Local Government Code: Municipal Comprehensive Plans		State-level code that authorizes the City to adopt a comprehensive plan for the long-range development of the City (State of Texas, 1987).
Chapter 214 of the Local Government Code		State-level code that authorizes the City to have regulatory authority as it related to building code (such as structural integrity and plumbing) (State of Texas, 1987) .
The Private Real Property Rights Preservation Act - Subchapter B: Chapter 2007 of the General Government Code		State-level code that authorizes a “taking”/Regulates construction in an area designated under law as a floodplain.
Texas Senate Bill 936- 77th Legislative Session		State-level code that allows counties and general law cities to regulate on the same level as cities are able to. Also allows counties to collect reasonable fees to cover administrative costs incurred by the administration of a local floodplain management program. Also provides for Criminal and Civil Penalties and injunctive relief.



Figure MC.30, Existing Capabilities, City of Missouri City

Capability Name	Capability Type	Ability to Expand/Improve
Flood Damage Prevention Ordinance	Regulation	Dictates the minimum flood standards adopted by the City to meet the Federal standards of the National Flood Insurance Program (NFIP). Could be enhanced through higher standards adoption (e.g. freeboard).

### 3.2 National Flood Insurance Program Participation

Missouri City participates in the National Flood Insurance Program, with the Missouri City Flood Damage Prevention Ordinance appointing the City Engineer as the Floodplain Administrator. His office handles the review of permits for development within the City. The City employs higher standards, including the requirement that lowest finished floors be elevated 12 inches above the base flood elevation. The City does not yet participate in the Community Rating System, but will consider this step as well as additional higher standards as part of their continuation of compliance. Missouri City has a total of 3,496 NFIP policies in force, as of June 2017. This totals \$1,055,026,800 in total insurance coverage.

### 3.3 Mitigation Goals

The plan-level Mitigation Goals can be found in Chapter 3, the Mitigation Strategy portion of the Fort Bend County HMP Update. These goals apply to each community and were mutually decided upon as the guiding goals for the development of actions in each jurisdiction.



### 3.4 Mitigation Actions

\*E= Actions reducing risk to existing buildings and infrastructure

\*F= Actions reducing risk to new development and redevelopment

1 Detention Area Outfall and Levee Improvements (previously action 1 in 2011 plan, modified)				
Hazard	Item Description		Implementation Agency	
Floods	Detention area outfall and levee improvements at Kitty Hollow Lake, Vicksburg Diversion Channel, Weir enlargement, and channel improvements for the Vicksburg Diversion Channel.		Missouri City Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
\$1.37M / HMGP Funds, City Drainage Bonds		12-15 Months	Design completed	E
Cost and Benefit Considerations				
Very cost effective				

2 Channel Improvements (previously action 3 in 2011 plan, modified)				
Hazard	Item Description		Implementation Agency	
Floods	Channel improvements along the Mustang Bayou Diversion Channel from the confluence with the old channel to Kitty Hollow Lake Detention area.		Missouri City Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
\$4.3M / HMGP Funds, City Drainage Bonds		12-15 Months	Design completed	E
Cost and Benefit Considerations				
Very cost effective				



Fort Bend County Hazard Mitigation Plan, Missouri City



3 Replace Culvert (previously action 4 in 2011 plan, modified)			
Hazard	Item Description	Implementation Agency	
Floods	Replacement of the Watts-Plantation Road Culvert with appropriately sized box culverts.	Missouri City Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017
\$244,000 / HMGP Funds, City Drainage Bonds		12-15 Months	Design completed
*Risk Focus:			
E			
Cost and Benefit Considerations			
Very cost effective			

4 Channel Improvements (previously action 5 in 2011 plan, modified)			
Hazard	Item Description	Implementation Agency	
Floods	Channel improvement for Mustang Bayou from the GCWA Canal through the Thunderbird North Subdivision including the reconstruction of the bridge at Turtle Creek Dr.	Missouri City Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017
\$1.52M / HMGP Funds, City Drainage Bonds		12-15 Months	Design completed
*Risk Focus:			
E			
Cost and Benefit Considerations			
Very cost effective			

5 Channel Improvements (previously action 6 in 2011 plan, modified)			
Hazard	Item Description	Implementation Agency	
Floods	Channel improvements along Mustang Bayou from the Thunderbird North Subdivision to the confluence with the old channel; including pipeline relocations and a sheet pile structure.	Missouri City Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017
\$2.4M / HMGP Funds, City Drainage Bonds		12-15 Months	Design completed
*Risk Focus:			
E			
Cost and Benefit Considerations			
Very cost effective			



6 Extend Canal Flume (previously action 8 in 2011 plan, modified)				
Hazard	Item Description		Implementation Agency	
Floods	Extend the Brisco Canal Flume over Lower Oyster Creek to enable excavation of the widening of the channel; plus allow for channel improvements upstream of the flume.		Missouri City Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
\$1.42M / HMGP Funds, Local Funding		12-15 Months	Awaiting design	E
Cost and Benefit Considerations				
Very cost-effective				

7 Channel Improvements (previously action 9 in 2011 plan, modified)				
Hazard	Item Description		Implementation Agency	
Floods	Chanel Improvements along the Long Point Creek Overflow Channel upstream of the Brisco Canal Flume.		Missouri City Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
\$841,000 / HMGP Funds, Local Funding		12-15 Months	Awaiting design	E
Cost and Benefit Considerations				
Very cost-effective				

8 Promote Flood Insurance (previously action 11 in 2011 plan)				
Hazard	Item Description		Implementation Agency	
Floods	Providing information about the National Flood Insurance Program in County offices.		FBC OEM	
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
Existing Staff, to place items / In-kind Services		60 months	In progress	N/A
Cost and Benefit Considerations				
Not independently cost-effective, but the initial step in identifying appropriate mitigation actions				

**9 Improve NFIP CRS Rating (previously action 12 in 2011 plan, modified)**

Hazard	Item Description	Implementation Agency		
Floods	Improve NFIP CRS rating. Review the existing floodplain ordinance and evaluate ways to improve the City's Community Rating System (CRS) rating to reduce the flood insurance premium. Choose from the variety of methods and projects available that can be implemented to improve the CRS rating.	Missouri City Department of Public Works		
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
\$75,000 / General Fund / In-kind Services		60 months	In progress	N/A
Cost and Benefit Considerations				
Not independently cost-effective, but the initial step in identifying appropriate mitigation actions				

**10 Increase Public Awareness of Hazard Mitigation (previously action 13 in 2011 plan, modified)**

Hazard	Item Description	Implementation Agency		
Drought, Extreme Heat, Severe Winter Storms, Lightning, Hailstorms, Windstorms, Tornadoes, Expansive Soils, Floods, Land Subsidence, Hurricanes/Tropical Storms, Dam/Levee Failure, Wildfires	Increasing public awareness of natural hazards and hazardous areas; distributing information regarding hazards and potential mitigation measures. Promotional sources would include City website, social media, and public education programs.	Missouri City Department of Public Works		
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
\$35,000 / General Fund / In-kind Services		60 months	In progress	N/A
Cost and Benefit Considerations				
Not independently cost-effective				





11 Evacuation Plans (previously action 14 in 2011 plan, modified)			
Hazard	Item Description	Implementation Agency	
Floods, Hurricanes/Tropical Storms, Dam/Levee Failure, Wildfires	Ensure that the City has adequate evacuation plans and notification procedures in place.	Missouri City Office of Emergency Management (OEM)	
Cost Estimate/Funding		Schedule	Status as of 2017
No additional cost – uses existing staff resources / In-kind Services		60 months	In progress
*Risk Focus:			
N/A			
Cost and Benefit Considerations			
Not independently cost-effective, but essential in minimizing loss of life and injuries during significant storms.			

12 Develop a Drought Emergency/Contingency Plan (previously action 16 in 2011 plan, modified)			
Hazard	Item Description	Implementation Agency	
Drought, Land Subsidence	Develop a drought emergency/contingency plan.	Missouri City OEM	
Cost Estimate/Funding		Schedule	Status as of 2017
Existing Staff / In-kind Services		6-9 months	Not Started
*Risk Focus:			
N/A			
Cost and Benefit Considerations			
This low-cost action ensures resiliency for two hazards.			

13 Public Information Campaigns (previously action 17 in 2011 plan)			
Hazard	Item Description	Implementation Agency	
Drought, Land Subsidence	Cooperate and coordinate with County and State agencies in developing public information campaigns and/or water use restrictions to ensure sufficient water pressure for fire-fighting and provision of drinking water during periods of drought.	Missouri City Communications Department	
Cost Estimate/Funding		Schedule	Status as of 2017
No additional cost – uses existing staff resources / In-kind Services		60 months	In progress
*Risk Focus:			
N/A			
Cost and Benefit Considerations			
Very difficult to determine, but presumed very cost-effective because actions preserves essential function.			



14 Evaluate Excess Heat Risks (previously action 18 in 2011 plan, modified)				
Hazard	Item Description	Implementation Agency		
Extreme Heat	Evaluate the risks presented by excessive heat and humidity, especially in terms of high-risk populations such as the elderly/ low income.	Missouri City OEM		
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
No additional cost – uses existing staff resources / In-kind Services		60 months	In progress	N/A
Cost and Benefit Considerations				
Not independently cost-effective, but needed to develop adequate risk reduction efforts.				

15 Address High Risk Populations (Excessive Heat) (previously action 19 in 2011 plan, modified)				
Hazard	Item Description	Implementation Agency		
Extreme Heat	In cooperation with County and State officials, ensure that high-risk populations are adequately addressed in response plans that are related to excessive heat risks.	Missouri City OEM		
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
No additional cost – uses existing staff resources / In-kind Services		60 months	In progress	N/A
Cost and Benefit Considerations				
Very difficult to determine, but presumed very cost-effective as actions serve to prevent death and injury.				

16 Understanding Dam/Levee Failure Risks (previously action 20 in 2011 plan, modified)				
Hazard	Item Description	Implementation Agency		
Dam/Levee Failure	Engage with County and State floodplain managers, engineers and emergency managers to ensure that local officials have a detailed understanding of potential risks to the community from dam and/or levee failures.	Missouri City OEM		
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
No additional cost – uses existing staff resources / In-kind Services		60 months	In progress	N/A
Cost and Benefit Considerations				
Not independently cost-effective.				

17 Evacuation Plans (previously action 21 in 2011 plan, modified)				
Hazard	Item Description	Implementation Agency		
Floods, Hurricanes/Tropical Storms, Dam/Levee Failures, Wildfires	Engage with County and State floodplain managers, engineers and emergency managers to ensure that local officials have a detailed understanding of potential risks to the community from dam and/or levee failures.	Missouri City OEM		
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
No additional cost – uses existing staff resources / In-kind Services		60 months	In progress	N/A
Cost and Benefit Considerations				
Not independently cost-effective.				

18 Review Plans and Resources to Address Risk Posed by Snow and Ice Hazards During Winter Storms (previously action 22 in 2011 plan, modified)				
Hazard	Item Description	Implementation Agency		
Severe Winter Storms	Conduct a review of the City’s current plans and resources to address the risks posed by ice and snow hazards during winter storms. Focus on City’s ability to respond to snow and ice emergencies, and on potentially at-risk populations in the community.	Missouri City OEM		
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
No additional cost – uses existing staff resources / In-kind Services		60 months	In progress	N/A
Cost and Benefit Considerations				
Not independently cost-effective, but contributes to maintaining public services; protects at-risk populations.				



Fort Bend County Hazard Mitigation Plan, Missouri City



**19 Various Mitigation Actions to Reduce Wildfire Risk (previously action 23 in 2011 plan, modified)**

Hazard	Item Description	Implementation Agency	
Wildfires	On a case-by-case basis, develop and initiate mitigation actions to reduce the wildfire and brushfire risk through the creation of fire breaks. Actions may include informing property owners of appropriate actions, clearing vegetation and wildfire fuels, and monitoring antecedent conditions, among others.	Missouri City Fire Department	
Cost Estimate/Funding		Schedule	Status as of 2017
No additional cost – uses existing staff resources / In-kind Services		6-12 months per fire break area	In progress
*Risk Focus:			
N/A			
Cost and Benefit Considerations			
Cost-effective, as measures tend to be in-expensive and prevent fires.			

**20 Upgrades to At-Risk Public Structures (previously action 24 in 2011 plan, modified)**

Hazard	Item Description	Implementation Agency	
Extreme Heat, Severe Winter Storms, Hailstorms, Windstorms, Tornadoes, Expansive Soils, Hurricanes/ Tropical Storms, Floods, Lightning, Dam/Levee Failure	Initiate upgrades to at-risk public facilities to include structurally fortifying at-risk facilities, integrating increased thermal insulation, impact resistant film or glass, surge protection systems and wind resistant windows and doors. Integrate higher levels of soil compaction standards and mandate freeboard for new development. Mitigates specific risks to structures, people, and operations.	Missouri City Public Works Department and Fire Marshall’s Office	
Cost Estimate/Funding		Schedule	Status as of 2017
TBD / General Fund / In-kind Services		24-36 months	Not-Started
*Risk Focus:			
E/F			
Cost and Benefit Considerations			
Cost-effectiveness will vary with level of risk and project cost.			

**21 Structural/ Engineering Study of Missouri City Public Facilities (previously action 25 in 2011 plan, modified)**

Hazard	Item Description	Implementation Agency	
Severe Winter Storm, Hailstorms, Windstorms, Tornadoes, Hurricanes/ Tropical Storms	Complete a detailed structural/engineering survey of Missouri City public facilities to ensure their soundness with respect to resisting the effects of high winds, extreme roof loading from snow or ice, and hail. Forms basis of decisions about any additional actions to mitigate risk.	Missouri City Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017
TBD / General Fund / In-kind Services		60 months	In progress
*Risk Focus:			
N/A			
Cost and Benefit Considerations			
Not independently cost-effective, but the initial step in identifying appropriate mitigation actions.			

### 3.5 Evaluating and Prioritizing Mitigation Actions

Each action added to the plan was developed using the Mitigation Action Summary Worksheet shown in Figure MC.31. Mitigation action prioritization, Figure MC.32, involved MPC evaluation of existing actions against 10 criteria that quantify feasibility and effectiveness of actions. These determinations were added to risk ranking scores (highest ranking for actions that address multiple hazards) in order to score each mitigation action. These rankings are shown in order from highest priority to lowest, by total score. Non-cost effective projects were not included in prioritization activity.

Figure MC.31, Mitigation Action Summary Worksheet

**Fort Bend County Hazard Mitigation Plan Update Process**  
Mitigation Action Summary Worksheet

Community Name: \_\_\_\_\_  
Person completing questionnaire: \_\_\_\_\_

Mitigation Action/ Project Title	
Background/ Issue	
Opportunities for Integration	
Responsible Agency	
Partners	
Strategy for Existing Structures	

**Fort Bend County Hazard Mitigation Plan Update Process**  
Mitigation Action Summary Worksheet

Strategy for Future Development	
Potential Funding	
Cost Estimate (Values from "Measuring Costs" fields from Benefit and Cost Review Worksheet)	
Benefits (Statements from the "Difference" fields on the Benefit and Cost Review Worksheet)	
Timeline	
Priority (Based off Priority worksheet)	



# Fort Bend County Hazard Mitigation Plan, Missouri City

Figure MC.32, Mitigation Action Prioritization

Mitigation Action	Life Safety	Property Protection	Technical	Political	Legal	Environmental	Social	Administrative	Local Champion	Other Community	Risk Ranking Score	Total Score
15. Address High Risk Populations (Excessive Heat)	+	+	+	+	0	0	+	-	+	0	93	98
13. Public Information Campaigns	+	+	0	+	0	0	+	0	+	+	91	97
14. Evaluate Excess Heat Risks	+	0	0	0	0	0	-	0	+	+	93	95
10. Increase Public Awareness of Hazard Mitigation	+	0	+	+	0	-	0	-	+	-	93	94
12. Develop a Drought Emergency/Contingency Plan	+	-	-	+	+	+	+	-	+	0	91	94
18. Review Plans and Resources to Address Risk Posed by Snow and Ice Hazards During Winter Storms	0	0	+	+	0	+	0	0	+	0	87	91
11. Evacuation Plans	+	-	+	+	+	-	+	+	+	+	84	90
17. Evacuation Plans	+	-	+	+	+	0	+	0	+	+	84	90
20. Upgrades to At-Risk Structures	-	+	+	+	+	-	0	0	+	0	87	90
21. Structural/Engineering Study of Missouri City Public Facilities	-	+	+	0	0	0	0	0	+	+	87	90
19. Various Mitigation Actions to Reduce Wildfire Risk	+	+	0	0	-	+	0	0	+	0	74	77
1. Detention Area Outfall and Levee Improvements	0	+	+	0	+	0	0	+	0	+	60	65
2. Channel Improvements	0	+	+	0	+	0	0	+	0	+	60	65



Figure MC.32, Mitigation Action Prioritization, Cont'd

Mitigation Action	Life Safety	Property Protection	Technical	Political	Legal	Environmental	Social	Administrative	Local Champion	Other Community	Risk Ranking Score	Total Score
3. Replacement of Culverts	0	+	+	0	+	0	0	+	0	+	60	65
4. Channel Improvements	0	+	+	0	+	0	0	+	0	+	60	65
5. Channel Improvements	0	+	+	0	+	0	0	+	0	+	60	65
6. Extend Canal Flume	0	+	+	0	+	0	0	+	0	+	60	65
7. Channel Improvements	0	+	+	0	+	0	0	+	0	+	60	65
8. Promote Flood Insurance	0	+	+	0	+	0	0	+	0	+	60	65
9. Improve NFIP CRS Rating	0	0	0	+	0	0	0	0	+	+	60	63
16. Understanding Dam/Levee Failure Risks	+	-	-	+	0	-	+	0	0	0	51	51



# Fort Bend County Hazard Mitigation Plan, Missouri City

## Mitigation Actions by Hazard

The mitigation actions in Figure MC.33 are shown with the hazards that they mitigate.

Figure MC.33, Mitigation Action Impact, City of Missouri City

Action Number	Drought	Extreme Heat	Severe Winter Storms	Lightning	Hailstorms	Windstorms	Tornadoes	Expansive Soils	Floods	Land Subsidence	Hurricanes/ Tropical Storms	Earthquakes	Dam/Levee Failure	Wildfire
1									X					
2									X					
3									X					
4									X					
5									X					
6									X					
7									X					
8									X					
9									X					
10	X	X	X	X	X	X	X	X	X	X	X		X	X
11									X		X		X	X
12	X									X				
13	X									X				
14		X												
15		X												
16													X	
17									X		X		X	X
18			X											
19														X
20		X	X	X	X	X	X	X	X		X		X	
21			X		X	X	X				X			



### 3.6 Integration Efforts

Figure MC.34 captures ways that the Risk Assessment, Goals and Actions developed in the HMP can be integrated into other City of Missouri City documents, programs and regulations.

Figure MC.34, Plan Integration Efforts

Name of Document	Type	Item Type	Process for Integration	
City of Missouri City Development Services	Program	Actions	Integration of mitigation practices and risk assessment data into existing permitting system to ensure that safe growth is implemented within the City.	
Community Development Block Grant	Funding	Action	Produce obligation packets for mitigation actions that meet CDBG criteria. Gain City Council approval for project applications for funding. Once approved, submit plan applications to appropriate State agency for review and approval.	
Community Development Block Grant-Disaster Recovery Funding			Produce obligation packets for mitigation actions that meet CDBG-DR criteria. Gain City Council approval for project applications for funding. Once approved, submit Plan applications to appropriate State agency for review and approval.	
Hazard Mitigation Grant Program (HMGP)			Identify actions that can be funded through new and existing grant awards. Review existing mitigation actions for eligibility for the grant program, to include Benefit Cost consideration. Prepare grant application documents in advance to prepare for future grant application periods.	
Pre-Disaster Mitigation (PDM)				
Flood Mitigation Assistance (FMA)				Process involves identification of actions from plan; obtaining Council approval to apply; notification of interest in grant to the public; completion of application for funding; if awarded, obtaining Council approval to accept; if accepted, administration of funds and implementation of project.
TWDB Flood Protection Planning (FPP) Grant				
TWDB Clean Water State Revolving Fund (CWSRF)				Identify actions that can be funded through new and existing loans. Review existing mitigation actions for eligibility for the loan program, to include Benefit Cost consideration. Prepare loan application documents in advance to prepare for future application periods.
Texas Water Development Fund (DFund)			Process involves obtaining Council approval to apply; notification of interest in loan to the public; completion of application for loan; if awarded, obtaining Council approval to accept; if accepted, administration of funds and implementation of project.	

## Fort Bend County Hazard Mitigation Plan, Missouri City

### *Incorporation Achievements Since Previous Plan Update*

Missouri City incorporated the HMP into other planning mechanisms as a demonstration of progress in local hazard mitigation efforts. This was achieved by identifying MPC planners and or stakeholders to participate in the following local planning efforts:

- Fort Bend County Drainage Plan
- Missouri City Comprehensive Plan
- Missouri City Capital Improvements Projects



## Section 4: Finalize Plan Update (Review, Evaluation, and Implementation)

### 4.1 Changes in Development

Missouri City has experienced exponential growth as more residents transplant from the Houston/Harris County area and settle in this suburb with all of the conveniences of a City. As residential and business development continue, the community expands and enhances services for its new tax base. There is a temporary vulnerability increase as services may not be at the capacity to meet the needs of the additional residents.

### 4.2 Progress in Mitigation Efforts

#### *Past Mitigation Action Progress Reports Summary - Completed and Canceled*

7 Installation of Large Siphon			
Hazard	Item Description	Implementation Agency	
Floods	Installation of a large siphon under the GCWA Canal. Priority: High	Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017
\$478,000 / HMGP Funds, City Drainage Bonds		12-15 Months	Completed
*Risk Focus:			
F			
Cost and Benefit Considerations			
Very cost effective			

10 NFIP Repetitive Loss Structures			
Hazard	Item Description	Implementation Agency	
Floods	NFIP Repetitive Loss structures. Pursue acquisition, elevation or flood proofing projects and structural solutions to flooding for the 11 repetitive loss structures. Priority: High	Department of Public Works	
Cost Estimate/Funding		Schedule	Status as of 2017
\$1.52M / HMGP Funds, local funding		Ongoing	Canceled due to a lack of resources for this project and a shift in focus to retention and detention efforts.
*Risk Focus:			
N/A			
Cost and Benefit Considerations			
Potentially very cost effective			

15 Wildfire Hazard Areas Study				
Hazard	Item Description		Implementation Agency	
Wildfires	Wildfire Hazard Areas. Conduct study to determine and map potential wildfire hazard areas. Priority: Medium		Missouri City OEM	
Cost Estimate/Funding		Schedule	Status as of 2017	*Risk Focus:
\$10,000 / Local Funding		TBD; likely initiated in 2012	Canceled because TXWRAP provides this data.	N/A
Cost and Benefit Considerations				
Not independently cost-effective, but essential in minimizing loss of life and injuries during significant storms.				

### 4.3 Changes in Priorities

Plan-level priority changes are reflected in the changes to the plan-level goals shown in Chapter 3: Mitigation Strategy within the main plan document.

As development continues, Missouri City seeks to ensure that the City infrastructure grows along with the City. The availability of water is a concern, as is the availability of resources in order to provide public safety services. The recent flooding disasters within Fort Bend County have also brought flood mitigation to the forefront of consideration for future projects.



## Section 5: Approval and Adoption

### 5.1 Approval and Adoption Procedure

The procedures for approval and adoption are described in Chapter 4.1 of the Fort Bend County HMP Update.

*Figure MC.35, Municipal Jurisdiction Adoption Date*

Municipality	APA Date	Adoption Date
City of Missouri City		





Jurisdiction Adoption Documentation Placeholder

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## Fort Bend County Hazard Mitigation Plan, Missouri City

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**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

February 5, 2018

**To:** Mayor and City Council  
**Agenda Item:** 11(d) A resolution granting consent to Fort Bend County Municipal Utility District No. 149 to annex certain land situated within the extraterritorial jurisdiction of the City of Missouri City, Texas  
**Submitted by:** Shashi K. Kumar, P.E., Director of Public Works/City Engineer

**SYNOPSIS**

This resolution grants consent for the annexation of approximately 97.84 acres of land located within the extraterritorial jurisdiction of the City of Missouri City (the "City") into Fort Bend County Municipal Utility District No. 149 (the "District").

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

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

**BACKGROUND**

The City has received a petition from the District and Larry Morris, the trustee for the Brazos Bend Ranch Trust, holder of title to 97.84 acres of land, requesting that the City grant consent to the annexation of the 97.84 acres of land into the District. The inclusion of the tract of land into the District will facilitate the provision of water, wastewater utilities and drainage for the land.

**SUPPORTING MATERIALS**

1. Resolution, including the District's request

**STAFF'S RECOMMENDATION**

The Department of Public Works does not object to this annexation. Staff recommends approving the resolution granting consent to the annexation of said acreage into Fort Bend County Municipal Utility District No. 149.

**Director Approval:** Shashi Kumar, P.E. Director of Public Works/City Engineer

**Assistant City Manager/  
City Manager Approval:** Scott R. Elmer, P.E.

**RESOLUTION NO. R-18- \_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, GRANTING CONSENT TO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 149 TO ANNEX CERTAIN LAND SITUATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MISSOURI CITY, TEXAS.**

\* \* \* \* \*

WHEREAS, Fort Bend County Municipal Utility District No. 149 (the "District") is located within the extraterritorial jurisdiction of the City of Missouri City, Texas; and

WHEREAS, Section 54.016 of the Texas Water Code, as amended, provides that no land within the corporate limits of a city or within the extraterritorial jurisdiction of a city shall be included within a district unless such city grants its written consent, by resolution or ordinance, to the inclusion of the land within the district; and

WHEREAS, on or about January 24, 2018, a petition for consent to annex land lying within the extraterritorial jurisdiction of the City of Missouri City, Texas, to the District was received by the City of Missouri City; and

WHEREAS, said petition, attached hereto as Exhibit "1," was duly executed by the Board of Directors of the District; and

WHEREAS, Larry Morris, as trustee for the Brazos Bend Ranch Trust, holder of title to 97.84 acres of the land, has petitioned that the land be added to the District; and

WHEREAS, the land sought to be annexed into the District contains an area of approximately 97.84 acres of land, more or less, situated within the extraterritorial jurisdiction of the City of Missouri City, Texas, and within the County of Fort Bend, Texas, and is more particularly described by metes and bounds in Exhibit A of the petition in Exhibit "1"; and

WHEREAS, in submitting such petition for consent to annex land, the petitioners have agreed to be bound by certain covenants and conditions as fully set forth in Exhibit "2" and incorporated herein by reference; and

WHEREAS, after due consideration, it is the opinion of the City Council of the City of Missouri City that consent to the annexation of the total 97.84 acres of land into the District should be given; now, therefore,

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

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

Section 2. The City of Missouri City, Texas, hereby consents to the annexation to Fort Bend County Municipal Utility District No. 149 of land, containing a total of 97.84 acres, more or less, situated within the extraterritorial jurisdiction of the City of Missouri City, Texas, more particularly described by metes and bounds in Exhibit A of the petition in Exhibit "1."

Section 3. The consent to annex granted hereby is subject to the covenants and conditions set forth in Exhibit "2", all of which are agreed to therein by petitioner as same as applies to the current land within the District and its current operation as well as to the proposed annexation of land and future operations of the District. That Fort Bend County Municipal Utility District No. 149 shall further be required to notify the City of all of its meetings of the Board of Directors, stating the date, time and place of same along with the agenda of said meeting; and, further, that the District shall furnish minutes of said meetings to the City.

Section 4. *Repeal.* Any and all resolutions or parts of resolutions inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. *Open Meetings Act Compliance.* The City Council of the City of Missouri City, Texas, 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 at the City Hall of the City of Missouri City, Texas, for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code; and that this meeting was open to the public as required by law at all times during which this Resolution and the subject matter thereof was discussed, considered and formally acted upon. The City Council of the City of Missouri City, Texas, further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. *Effective Date.* This Resolution shall take effect immediately from and after its passage and approval by the City Council of the City of Missouri City, Texas.

PASSED, APPROVED and RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

Exhibit "1"

PETITION FOR CONSENT TO ANNEX LAND INTO  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 149

STATE OF TEXAS

COUNTY OF FORT BEND

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF MISSOURI CITY,  
TEXAS:

Fort Bend County Municipal Utility District No. 149 and Larry Morris, as Trustee for Brazos Bend Ranch Trust (the "Petitioner"), acting pursuant to the provisions of Chapters 49, Texas Water Code, particularly Section 49.301 of that Code, together with all amendments and additions thereto, respectfully petition the City Council of the City of Missouri City, Texas, (the "City") for its written consent to the annexation by the District of the 97.84-acre tract of land described by metes and bounds in **Exhibit A** (the "Land"), which is attached hereto and incorporated herein for all purposes. In support of this petition, the undersigned would show the following:

I.

The District is a municipal utility district duly created under the laws of the State of Texas on October 24, 2003. The District was created and organized under the terms and provisions of Article XVI, Section 59, of the Constitution of Texas, and is governed by the provisions of Chapters 49 and 54, Texas Water Code.

II.

The Petitioner holds fee simple title to the Land, as indicated by the certificate of ownership provided by the Fort Bend Central Appraisal District. The Petitioner hereby certifies that there are no holders of liens on the Land.

III.

The Land is situated wholly within Fort Bend County, Texas. All of the Land is within the extraterritorial jurisdiction (as such term is defined in Chapter 42, Texas Local Government Code, as amended) of the City of Missouri City, Texas. No part of the Land is within the limits of any incorporated city, town, or village. All of the Land may properly be annexed into the District.

IV.

The general nature of the work to be done within the Land is the construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system, and a drainage and storm sewer system.

V.

There is, for the following reasons, a necessity for the above-described work. The Land, which will be developed for residential and/or commercial purposes, is urban in nature, is within the growing

## Exhibit "1"

environs of the City, is in close proximity to populous and developed sections of Fort Bend County, and within the immediate future will experience a substantial and sustained residential and commercial growth. There is not now available within the Land an adequate waterworks and sanitary sewer system nor an adequate drainage system, and it is not presently economically feasible for the Land to provide for such systems itself. Because the health and welfare of the present and future inhabitants of the Land and of lands adjacent thereto require the construction, acquisition, maintenance and operation of an adequate waterworks and sanitary sewer system and a drainage and storm sewer system, a public necessity exists for the annexation of the Land into the District, to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system and such drainage and storm sewer system, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

### VI.

The undersigned estimate, from such information as they have at this time, that the cost of extending the District's facilities to serve the Land is \$6,166,000.

### VII.

As required by the City's current Code of Ordinances, with respect to the Land, the District agrees to the conditions attached hereto as **Exhibit B**.

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City give its written consent to the annexation of the Land into the District.

[EXECUTION PAGES FOLLOW]

Exhibit "1"

RESPECTFULLY SUBMITTED on January 22, 2018.



FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 149, a political subdivision of the State of Texas

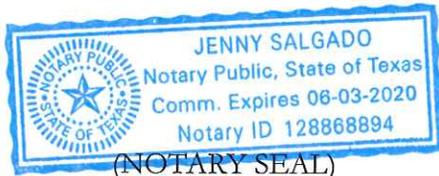
By: [Signature]  
Name: S. Winters  
Title: Pres.

(SEAL)

STATE OF TEXAS

COUNTY OF FORT BEND

This instrument was acknowledged before me on this 22nd day of January, 2018, by Susan Winters, as President of the Board of Directors of Fort Bend County Municipal Utility District No. 149, a political subdivision of the State of Texas, on behalf of said political subdivision.



(NOTARY SEAL)

[Signature]  
Notary Public, State of Texas

Exhibit "1"

RESPECTFULLY SUBMITTED on January 22, 2018.

Larry Morris, Trustee

Larry Morris, as Trustee for  
Brazos Bend Ranch Trust

STATE OF TEXAS

COUNTY OF Fait Bend

This instrument was acknowledged before me this 22 day of January, 2018, by  
Larry Morris, as Trustee for Brazos Bend Ranch Trust.



Melissa McRaven  
Notary Public, State of Texas

Attachment

Exhibit A - Legal Description of the Land

Exhibit "1"

CERTIFICATE

STATE OF TEXAS

COUNTY OF FORT BEND

I, the undersigned Secretary of the Board of Directors of Fort Bend County Municipal Utility District No. 149, do hereby certify that the attached and foregoing is a true and correct copy of the Petition For Consent To Annex Land Into Fort Bend County Municipal Utility District No. 149 that was filed with the Board of Directors of the District on January 22, 2018.

WITNESS MY HAND AND SEAL OF SAID DISTRICT on  
January 22, 2018.



FORT BEND COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 149

By: Rose Herbst  
Rose Herbst  
Secretary, Board of Directors

(SEAL)

Exhibit "1"

Exhibit A

Page 1 of 3 Pages

County: Fort Bend  
Project: Riverstone: Bylar tract  
C.I. No.: 1167-17  
Job Number: 2017-140-20

**FIELD NOTES FOR 97.84 ACRES**

Being a 97.84 acre tract of land located in the William Little Survey, Abstract-54, in Fort Bend County, Texas; said 97.84 acre tract being a portion of a call 217.397-acre tract of land recorded in the name of Larry Morris, Trustee, in Clerk's File Number 9484041 of the Official Records of Fort Bend County (O.R.F.B.C.), Texas; said 97.84 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone and the west line of Edgewood at Riverstone Section Two, a subdivision recorded in Plat Number 20130205 of the Fort Bend County Plat Records (F.B.C.P.R.):

**Beginning** at a 1-inch iron pipe found for the northeast corner of said 217.397-acre tract and the most westerly corner of Reserve "E" of said Edgewood at Riverstone Section Two, same being on the south line of Reserve "A" of Auburn Manor Section 3, a subdivision recorded in Plat Number 20130226 of the F.B.C.P.R.

1. Thence, with the common line of said Edgewood at Riverstone Section Two and said 217.397-acre tract, South 35 degrees 25 minutes 53 seconds East, at a distance of 1,389.52 feet passing a 5/8-inch iron rod with cap stamped "COSTELLO INC" found for the southwest corner of said subdivision, in all, a total distance of 1469.05 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the northeast corner of a call 0.1634-acre tract of land recorded in Clerk's File Number 2005082614 of the O.R.F.B.C.;
2. Thence, with the north line of said 0.1634-acre tract, South 56 degrees 34 minutes 03 seconds West, a distance of 181.45 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
3. Thence, continuing with said north line, South 60 degrees 49 minutes 15 seconds West, a distance of 179.52 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set on the south line of said 217.397-acre tract, same being on the occupied north Right-of-Way (R.O.W.) line of Hagerson Road (width varies) as recorded in Volume 138, Page 489 of the Fort Bend County Deed Records (F.B.C.D.R.);
4. Thence, with said south line and said north R.O.W. line, South 68 degrees 18 minutes 19 seconds West, a distance of 962.33 feet to a 1/2-inch iron pipe found;
5. Thence, continuing with said south line and said north R.O.W. line, South 67 degrees 11 minutes 28 seconds West, a distance of 209.45 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the most easterly corner of a call 0.5615-acre tract of land recorded in Clerk's File Number 2005082614 of the O.R.F.B.C.;

Exhibit "1"

Page 2 of 3 Pages

Thence, with the north line of said 0.5615-acre tract, the following three (3) courses:

6. South 78 degrees 07 minutes 43 seconds West, a distance of 115.92 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
7. South 69 degrees 23 minutes 26 seconds West, a distance of 293.19 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
8. South 67 degrees 04 minutes 16 seconds West, a distance of 40.57 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the east corner of a call 12.8314-acre tract of land recorded in Clerk's File Number 2005082614 of the O.R.F.B.C.;

Thence, with the north line of said 12.8314-acre tract, the following fourteen (14) courses:

9. North 22 degrees 55 minutes 55 seconds West, a distance of 75.01 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
10. 204.20 feet along the arc of a curve to the left, said curve having a central angle of 89 degrees 59 minutes 47 seconds, a radius of 130.00 feet and a chord that bears North 67 degrees 55 minutes 49 seconds West, a distance of 183.84 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
11. South 67 degrees 04 minutes 17 seconds West, a distance of 349.94 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
12. North 84 degrees 52 minutes 45 seconds West, a distance of 200.23 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
13. North 45 degrees 06 minutes 11 seconds West, a distance of 168.73 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
14. 93.80 feet along the arc of a curve to the left, said curve having a central angle of 41 degrees 20 minutes 28 seconds, a radius of 130.00 feet and a chord that bears North 65 degrees 46 minutes 25 seconds West, a distance of 91.78 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
15. North 86 degrees 26 minutes 39 seconds West, a distance of 416.80 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
16. North 83 degrees 27 minutes 06 seconds West, a distance of 375.98 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
17. North 89 degrees 23 minutes 28 seconds West, a distance of 374.69 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;

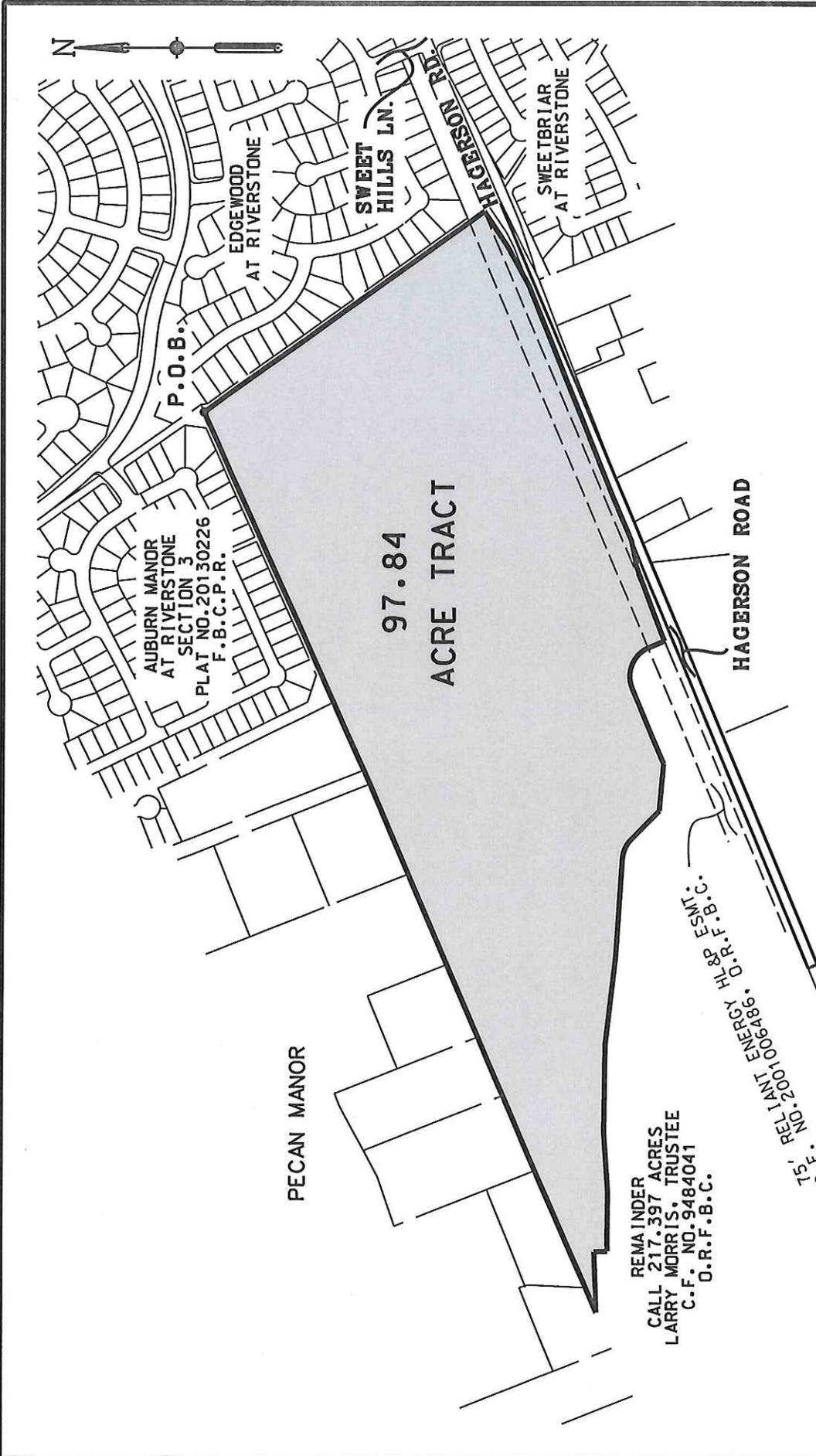
Exhibit "1"

Page 3 of 3 Pages

18. South 85 degrees 57 minutes 38 seconds West, a distance of 250.93 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
19. North 89 degrees 29 minutes 26 seconds West, a distance of 206.83 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
20. South 88 degrees 03 minutes 57 seconds West, a distance of 43.84 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
21. North 01 degrees 56 minutes 03 seconds West, a distance of 56.25 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
22. South 88 degrees 03 minutes 57 seconds West, a distance of 256.74 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set, same being on the north line of aforesaid 217.397-acre tract and the south line of a call 2.0-acre tract of land recorded in Volume 614, Page 119 of the F.B.C.D.R.;
23. Thence, with the north line of said 217.397-acre tract, the south line of said 2.0-acre tract, the south line of a call 2.53-acre tract of land recorded in Clerk's File Number 2014133586 of the O.R.F.B.C., the south line of a call 5.0493-acre tract of land recorded in Clerk's File Number 2017021414 of the O.R.F.B.C., the south line of a call 4.02-acre tract of land recorded in Clerk's File Number 2012041957 of the O.R.F.B.C., the south line of a call 2.82-acre tract of land recorded in Clerk's File Number 2016069446 of the O.R.F.B.C., the south line of a call 3.48-acre tract of land recorded in Clerk's File Number 2014093094 of the O.R.F.B.C. and the south line of a call 3.4430-acre tract of land recorded in Clerk's File Number 9824180 of the O.R.F.B.C., North 66 degrees 31 minutes 46 seconds East, a distance of 2,442.16 feet to a 1-inch iron pipe found at the southeast corner of said 3.4430-acre tract and the southwest corner of a call 8.3936-acre tract of land recorded in Clerk's File Number 2006009958 of the O.R.F.B.C.;
24. Thence, continuing with the north line of said 217.397-acre tract and with the south line of said 8.3936-acre tract and the south line of aforesaid Auburn Manor Section 3; North 65 degrees 41 minutes 43 seconds East, a distance of 1730.40 feet to the **Point of Beginning** and containing 97.84 acres of land.



*Mark D. Armstrong*  
08/18/2017



**Costello** 

9990 RICHMOND AVENUE SUITE 450  
 NORTH BUILDING  
 HOUSTON, TEXAS 77042  
 (713) 783-7788 FAX: 783-3680  
 TBPE FIRM REGISTRATION NO. 280  
 TBPLS FIRM REGISTRATION NO. 100486

<b>EXHIBIT OF</b>		
<b>97.84</b>		
<b>ACRES</b>		
DRAWN BY: LD	DATE: 08-22-2017	SCALE: 1"=600'
CHECKED BY: MA	JOB NO: 2017-140-020	1167.17.DGN

**Exhibit B**

A. The District may issue bonds only for the purpose of acquiring, purchasing or constructing, under contract with the City of Missouri City (the "City") or otherwise, waterworks systems, wastewater systems, stormwater systems, drainage facilities, recreational facilities and road facilities, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions and repairs thereto, and to purchase or acquire all necessary land, right-of-way easements, sites, equipment, buildings, plants, structures and facilities therefor, and to operate and maintain the same, and to sell water, wastewater and other services within or without the boundaries of the District, unless otherwise agreed to by the City. Such bonds shall expressly provide that the District shall reserve the right to redeem said bonds on any interest payment date subsequent to the tenth (10th) anniversary of the date of issuance without premium and shall only be sold after the taking of public bids therefor, other than refunding bonds, which may be sold on a negotiated basis, and none of such bonds, other than refunding bonds, shall be sold for less than ninety-five (95) percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, shall not exceed two (2) percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the first date notice of the sale of such bonds is published, and bids for the bonds shall be received not more than forty-five (45) days after notice of sale of the bonds if so published. The resolution or order authorizing the issuance of the District's bonds will contain, if applicable, a provision that the pledge of the revenues from the operation of the District's water and wastewater and/or drainage systems to the payment of the District's bonds will terminate if and when the City annexes the District or takes over the assets of the District and assumes all of the obligations of the District. No land will be added or annexed to the District until the City has given its written consent by action of the City Council on such addition or annexation. No bonds of the District may be issued without specific City consent if the City has given notice to the District that it intends to annex and/or dissolve the District within 365 or fewer days after such notice. The District will promptly provide the City with the Official Statement regarding the issuance of the bonds, once it is complete. If the District is a management district, it shall obtain City approval of all bonds it issues in accordance with Section 375.207, Texas Local Government Code. The District must obtain City approval to issue refunding bonds. Refunding bonds must comply with all City ordinances pertaining the sale of refunding bonds by a District within the City's boundaries or its extra-territorial jurisdiction, as such ordinances may be amended from time to time.

B. Before the commencement of any construction within the District, the District, its directors, officers, or developers and/or landowners shall submit to the Director of the Department of Public Works of the City, or to his designee, all plans and specifications for the construction of water, wastewater, drainage, recreational and road facilities and related improvements to serve the District and obtain the City's written approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes and appurtenances thereto, installed or used within the District, shall conform exactly to the then-applicable specifications of the City. All water service lines, wastewater service lines, lift stations, wastewater treatment facilities, road facilities and appurtenances thereto installed or

## Exhibit "1"

used within the District, as well as any recreational facilities to be accepted by the City, shall comply with the City's standards, the approved plans and specifications and the then-applicable ordinances, resolutions, or regulations of the City, unless otherwise agreed to in writing by the City and the District. Prior to the construction of such facilities within or by the District, the District or its engineer shall give written notice by registered or certified mail to the Director of Public Works of the City, or his designee, stating the date on which such construction will be commenced. The construction of the District's water, wastewater, drainage, recreational and road facilities shall be in accordance with the approved plans and specifications and with applicable standards and specifications of the City and as approved by the City Engineer and the Director of Public Works of the City. During the progress of the construction and installation of such facilities, a designated representative of the City may make periodic on-the-ground inspections in order to determine that the installation and construction conform with the approved plans and specifications and the applicable standards and specifications of the City. In the event that it is determined by the representative of the City that construction and/or installations are not being performed in conformance with the approved plans and specifications and with the applicable standards and specifications of the City, upon being so informed by a duly designated City representative, the District agrees to discontinue further construction and installation of all facilities until the cause of the non-compliance is resolved.

C. In the event that the District operates a wastewater treatment plant, the District agrees it will employ a wastewater plant operator holding an applicable, valid certificate of competency issued under the direction of the Texas Commission on Environmental Quality ("TCEQ"). If the District operates the plant, the District shall make periodic analyses of its discharge pursuant to the rules of the TCEQ and shall send copies of all such effluent data to the Department of Public Works of the City, as well as to the TCEQ. Representatives of the City may supervise the continued operations of the wastewater treatment facility by making periodic inspections thereof.

D. The District shall not provide water, wastewater or drainage facilities to any tract of land until the owner or developer of said tract has, prior to the sale of any subdivided lots or parcels of land, duly recorded a plat in the map and plat records of the county in which the District lies and which plat has been previously approved by the Planning and Zoning Commission of the City. If the District contracts with the City for water supply or wastewater treatment services, the District may not provide service to any land outside its boundaries without the prior written consent of the City.



January 15, 2018

Fort Bend County Municipal Utility District No. 149  
Board of Directors  
c/o Mrs. Nancy Carter  
The Muller Law Group, PLLC  
16555 Southwest Freeway, Suite 200  
Sugar Land, TX 77479

Re: **Feasibility for 97 Acre Annexation Into Fort Bend County MUD No. 149**  
CI Job No. 2003027-100

Dear Directors:

The following and attached are the items needed by the City of Missouri City to consider approving the proposed annexation referenced above. The items attached include:

1. Current District boundary map.
2. District location map that includes the status of platted property within the District and the proposed annexation parcel.
3. Utility one-line exhibit that shows the proposed development and facilities to service the annexation parcel.
4. Feasibility report that includes the estimated construction costs and impact to the District's tax rate.

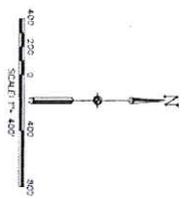
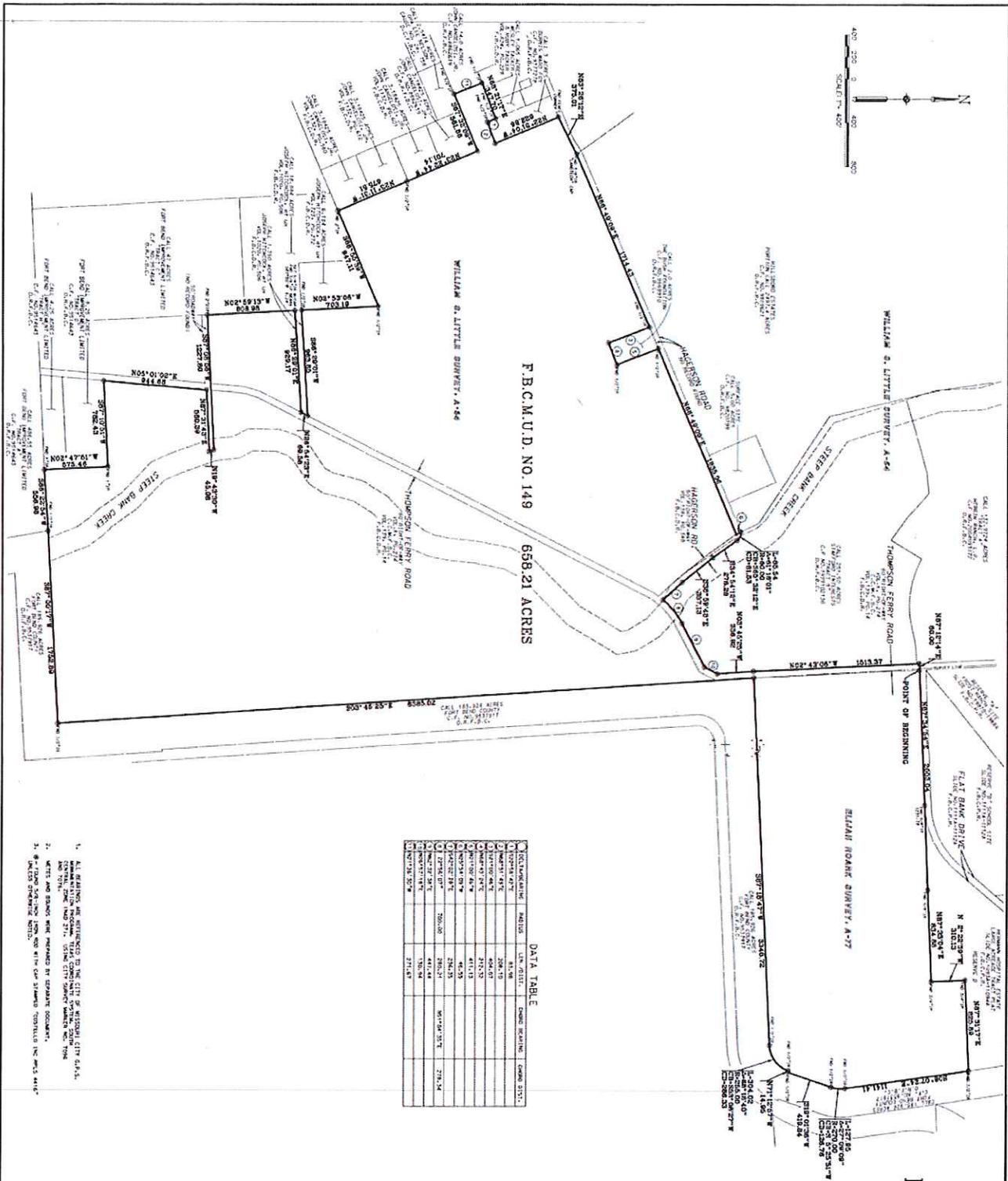
Should anyone have questions or require additional information, please call.

Sincerely,  
**Fort Bend County MUD No. 149**  
District Engineer  
**COSTELLO, INC.**

A handwritten signature in blue ink, appearing to read "Chad E. Hablinski".

Chad E. Hablinski, P.E.  
Sr. Project Manager/Partner

W:\2003\2003027\100 District Consultation\Annexation\Hagerson Road Tract\_TM\_MUD 149\_City Letter.docx



DATA TABLE

NO.	BEARING	DISTANCE	AREA	PERCENT	TOTAL AREA
1	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
2	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
3	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
4	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
5	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
6	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
7	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
8	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
9	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
10	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
11	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
12	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
13	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
14	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
15	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
16	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
17	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
18	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
19	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
20	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
21	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
22	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
23	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
24	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
25	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
26	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
27	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
28	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
29	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
30	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
31	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
32	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
33	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
34	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
35	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
36	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
37	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
38	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
39	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
40	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
41	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
42	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
43	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
44	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
45	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
46	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
47	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
48	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21
49	N 87° 12' 30" E	1,524.47	1,524.47	0.23	656.21
50	S 87° 12' 30" W	1,524.47	1,524.47	0.23	656.21

1. ALL BEARINGS AND DISTANCES TO THE CITY OF WISCONSIN CITY 64.4.
2. ALL BEARINGS AND DISTANCES TO THE CITY OF WISCONSIN CITY 64.4.
3. ALL BEARINGS AND DISTANCES TO THE CITY OF WISCONSIN CITY 64.4.

**FORT BEND COUNTY**  
**MUNICIPAL UTILITY**  
**DISTRICT NUMBER 149**  
**BOUNDARY MAP OF**  
**656.21 ACRES**

I, **John A. [Signature]**, Surveyor, do hereby certify that the above is a true and correct copy of the original survey map as shown to me by the undersigned.

I, **[Signature]**, District Engineer, do hereby certify that the above is a true and correct copy of the original survey map as shown to me by the undersigned.

I, **[Signature]**, District Engineer, do hereby certify that the above is a true and correct copy of the original survey map as shown to me by the undersigned.



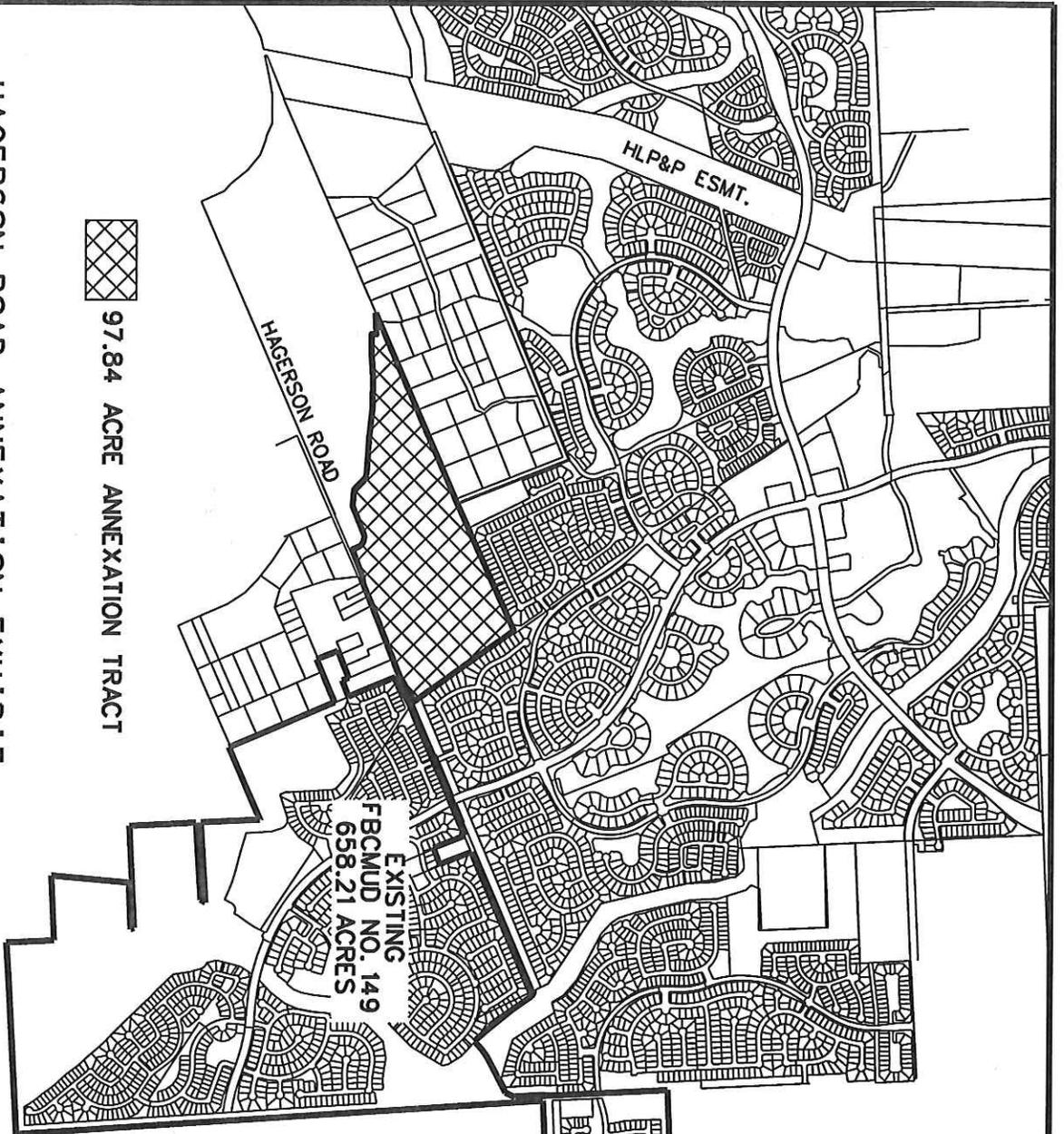
**Costello, Inc.**  
 Surveyors  
 1400 West Loop South, Suite 1000  
 Houston, Texas 77027  
 Phone: (713) 771-1111  
 Fax: (713) 771-1112  
 E-mail: info@costelloinc.com

PROJECT BY: [ ]  
 DATE: [ ]  
 SCALE: [ ]

HAGERSON ROAD ANNEXATION EXHIBIT  
FORT BEND COUNTY  
MUNICIPAL UTILITY  
DISTRICT NUMBER 149



97.84 ACRE ANNEXATION TRACT



EXISTING  
FBCMUD NO. 149  
658.21 ACRES

HAGERSON ROAD

HLP&P ESMT.

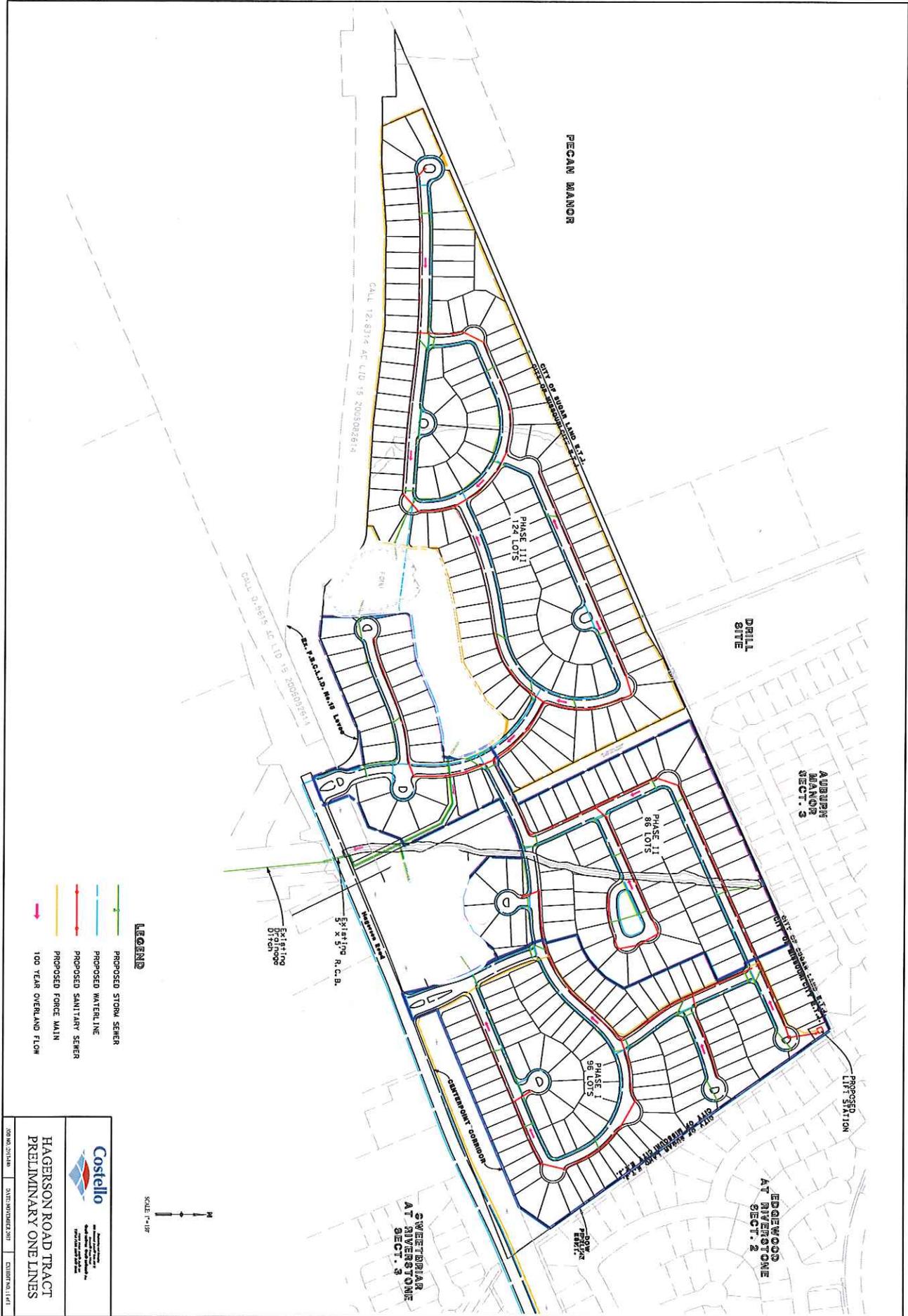


Engineering and Surveying  
9990 Richmond Avenue, Suite 450 N  
Houston, Texas 77042  
(713) 783-7788 (713) 783-3580, Fax  
TBPE FIRM REG. No. 280  
TBPLS FIRM REG. No. 100486

# Exhibit "1"

## Exhibit 3

W:\2017\2017140\_Peabody\Construction\Cost\Estimate\Bylar\_Doc\Line\Phase 3.dwg  
1/16/2017 1:25:00 PM



- LEGEND**
- PROPOSED STORM SEWER
  - PROPOSED WATERLINE
  - PROPOSED SANITARY SEWER
  - PROPOSED FORCE MAIN
  - 100 YEAR OVERLAND FLOW



**Costello**  
Engineering & Construction

**HAGERSTON ROAD TRACT  
 PRELIMINARY ONE LINES**

JOB NO. 231548      DATE: NOVEMBER 2017      DRAWING NO. 1141

# Exhibit "1"

Exhibit 4



November 22, 2017

Fort Bend County Municipal Utility District No. 149  
Board of Directors  
c/o Ms. Nancy Carter  
The Muller Law Group, PLLC  
16555 Southwest Freeway, Suite 200  
Sugar Land, TX 77479

Re: **Feasibility for 97 Acre Annexation Into Fort Bend MUD No. 149**  
CI Job No. 2003027-100

Dear Directors:

The following is the engineer's assessment of the capability of Fort Bend County Municipal Utility District No. 149 (FBCMUD 149) to service the subject property with water, sanitary sewer and storm sewer. This summary makes no representations as to the District's legal ability to reimburse the developer for any utility improvements, land costs or utility connection fees.

## General

FBCMUD No. 149 is located within the extraterritorial jurisdiction of Missouri City, Texas. The District is generally located at the intersection of LJ Parkway and Hagerson Road. A request has been made to annex +/-97 acres, increasing the total acreage to +/- 755 acres. The District will require water and sanitary sewer service for approximately 300 equivalent single family connections (esfc) to serve the 97 acres.

## Water

FBCMUD 149 provides water supply capacity through a Regional Water Supply Agreement with Fort Bend County MUD Nos. 115 and 129. Should the annexation be approved, then FBCMUD 149 would be responsible to provide water capacity in accordance with the Water Agreement. The distribution facilities would need to be extended from the intersection of LJ Parkway and Hagerson Road to service the site. The estimated costs for extending the water line and servicing the internal tract are \$784,000. We estimate the cost to expand the water supply plant to service the tract at \$100,000 which will include the construction of an additional hydropneumatic tank.

## Sanitary Sewer

Missouri City provides the District wastewater treatment capacity. Should the annexation be approved, then Missouri City would be responsible to provide wastewater treatment capacity in accordance with the Utility Agreement. The District does not currently own sufficient capacity for the additional 300 ESFCs. Therefore, it is anticipated that the District would secure the additional capacity by purchasing it from one of the other Riverstone MUDs that have excess capacity. Using 250 GPD per connection and \$6.09 per gallon, the cost to secure additional treatment capacity is estimated at \$457,000.

The site will require an on-site lift station and an internal collection system. The additional sanitary sewer collection costs for the tract is estimated to be \$1,853,000.

## Exhibit "1"

### Storm Water Drainage

Fort Bend County LID No 15 would be required to provide additional detention and a storm water pump station to service this property. Those costs are not included in this analysis as they've been provided to FBCLID 15. The storm drainage collection facilities would be constructed within the development and extended to and outfall into the FBCLID No. 15 detention and conveyance system. The additional internal storm sewer collection costs for the tract is estimated to be \$1,830,000.

### SUMMARY OF COSTS

Total Number of Acres	97
Total Assessed Value (at build out) <sup>(1)</sup>	\$145,200,000
Water Plant Expansion	\$100,000
Estimated Water Distribution Costs	\$784,000
Sanitary Sewer Treatment Capacity	\$457,000
Estimated Sanitary Sewer Distribution Costs	\$1,853,000
Estimated Storm Sewer Distribution Costs	\$1,830,000
Estimated Engineering, Testing and SWPPP Fees (25%)	\$1,142,000
Overall Construction / Engineering	\$6,166,000
Existing Debt Service Tax Rate	\$0.39 / \$100
Annual Debt Service Requirement <sup>(2)&amp;(3)</sup>	\$547,000
Estimated Tax Rate Required for 100% Reimbursement (assumes no appreciation; 95% Collections) <sup>(2 &amp; 3)</sup>	\$0.396 / \$100

(1) Provided by the Developer.

(2) Assumes 25 year maturity, 25% soft costs and 5.0% interest rate.

(3) Please refer to the Financial Advisor for detailed review of this information as we are not qualified to make financial recommendations to the board.

## Exhibit "1"

As the annexation of the property provides additional value for the District's tax base and the Levee Improvement District is able to provide detention and outfall capacity for the parcel. The District should consult the financial advisor as to the impacts on the District tax rate should the annexation move forward.

Should anyone have questions or require additional information, please call.

Sincerely,  
Fort Bend County MUD No. 149 District Engineer  
**COSTELLO, INC.**



Chad E. Hablinski, P.E.  
Sr. Project Manager / Partner

Cc: Mr. David Smalling – R.W. Baird & Co.  
Mr. Bobby Skinner – Taylor Morrison of Texas

W:\2003\2003027\100 District Consultation\Annexation\Hagerson Road Tract\_TM\_V2.docx

## Exhibit "2"

A. The District may issue bonds only for the purpose of acquiring, purchasing or constructing, under contract with the City of Missouri City (the "City") or otherwise, waterworks systems, wastewater systems, stormwater systems, drainage facilities, recreational facilities and road facilities, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions and repairs thereto, and to purchase or acquire all necessary land, right-of-way easements, sites, equipment, buildings, plants, structures and facilities therefor, and to operate and maintain the same, and to sell water, wastewater and other services within or without the boundaries of the District, unless otherwise agreed to by the City. Such bonds shall expressly provide that the District shall reserve the right to redeem said bonds on any interest payment date subsequent to the tenth (10th) anniversary of the date of issuance without premium and shall only be sold after the taking of public bids therefor, other than refunding bonds, which may be sold on a negotiated basis, and none of such bonds, other than refunding bonds, shall be sold for less than ninety-five (95) percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, shall not exceed two (2) percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the first date notice of the sale of such bonds is published, and bids for the bonds shall be received not more than forty-five (45) days after notice of sale of the bonds if so published. The resolution or order authorizing the issuance of the District's bonds will contain, if applicable, a provision that the pledge of the revenues from the operation of the District's water and wastewater and/or drainage systems to the payment of the District's bonds will terminate if and when the City annexes the District or takes over the assets of the District and assumes all of the obligations of the District. No land will be added or annexed to the District until the City has given its written consent by action of the City Council on such addition or annexation. No bonds of the District may be issued without specific City consent if the City has given notice to the District that it intends to annex and/or dissolve the District within 365 or fewer days after such notice. The District will promptly provide the City with the Official Statement regarding the issuance of the bonds, once it is complete. If the District is a management district, it shall obtain City approval of all bonds it issues in accordance with Section 375.207, Texas Local Government Code. The District must obtain City approval to issue refunding bonds. Refunding bonds must comply with all City ordinances pertaining the sale of refunding bonds by a District within the City's boundaries or its extra-territorial jurisdiction, as such ordinances may be amended from time to time.

B. Before the commencement of any construction within the District, the District, its directors, officers, or developers and/or landowners shall submit to the Director of the Department of Public Works of the City, or to his designee, all plans and specifications for the construction of water, wastewater, drainage, recreational and road facilities and related improvements to serve the District and obtain the City's written approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes and appurtenances thereto, installed or used within the District, shall conform exactly to the then-applicable specifications of the City. All water service lines, wastewater service lines, lift stations, wastewater treatment facilities, road facilities and appurtenances thereto installed or

used within the District, as well as any recreational facilities to be accepted by the City, shall comply with the City's standards, the approved plans and specifications and the then-applicable ordinances, resolutions, or regulations of the City, unless otherwise agreed to in writing by the City and the District. Prior to the construction of such facilities within or by the District, the District or its engineer shall give written notice by registered or certified mail to the Director of Public Works of the City, or his designee, stating the date on which such construction will be commenced. The construction of the District's water, wastewater, drainage, recreational and road facilities shall be in accordance with the approved plans and specifications and with applicable standards and specifications of the City and as approved by the City Engineer and the Director of Public Works of the City. During the progress of the construction and installation of such facilities, a designated representative of the City may make periodic on-the-ground inspections in order to determine that the installation and construction conform with the approved plans and specifications and the applicable standards and specifications of the City. In the event that it is determined by the representative of the City that construction and/or installations are not being performed in conformance with the approved plans and specifications and with the applicable standards and specifications of the City, upon being so informed by a duly designated City representative, the District agrees to discontinue further construction and installation of all facilities until the cause of the non-compliance is resolved.

C. In the event that the District operates a wastewater treatment plant, the District agrees it will employ a wastewater plant operator holding an applicable, valid certificate of competency issued under the direction of the Texas Commission on Environmental Quality ("TCEQ"). If the District operates the plant, the District shall make periodic analyses of its discharge pursuant to the rules of the TCEQ and shall send copies of all such effluent data to the Department of Public Works of the City, as well as to the TCEQ. Representatives of the City may supervise the continued operations of the wastewater treatment facility by making periodic inspections thereof.

D. The District shall not provide water, wastewater or drainage facilities to any tract of land until the owner or developer of said tract has, prior to the sale of any subdivided lots or parcels of land, duly recorded a plat in the map and plat records of the county in which the District lies and which plat has been previously approved by the Planning and Zoning Commission of the City. If the District contracts with the City for water supply or wastewater treatment services, the District may not provide service to any land outside its boundaries without the prior written consent of the City.



**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

**February 5, 2018**

**To:** Mayor and City Council  
**Agenda Item:** 11(e) A resolution granting consent to Fort Bend County Levee Improvement District No. 15 to annex certain land situated within the extraterritorial jurisdiction of the City of Missouri City, Texas  
**Submitted by:** Shashi K. Kumar, P.E., Director of Public Works/City Engineer

**SYNOPSIS**

This item relates to the same property to which item 11(d) relates. This resolution grants consent for the annexation of approximately 97.84 acres of land located within the extraterritorial jurisdiction of the City of Missouri City (the "City") into Fort Bend County Levee Improvement District No. 15 (the "District").

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

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

**BACKGROUND**

The City has received a petition from the District and Larry Morris, the trustee for the Brazos Bend Ranch Trust, holder of title to 97.84 acres of land, requesting that the City grant consent to the annexation of the 97.84 acres of land into the District. The inclusion of the tract of land into the District will facilitate the provision of water, wastewater utilities and drainage for the land.

**SUPPORTING MATERIALS**

1. Resolution, including the District's request

**STAFF'S RECOMMENDATION**

The Department of Public Works does not object to this annexation. Staff recommends approving the resolution granting consent to the annexation of said acreage into Fort Bend County Levee Improvement District No. 15.

**Director Approval:** Shashi Kumar, P.E. Director of Public Works/City Engineer  
**Assistant City Manager/  
City Manager Approval:** Scott R. Elmer, P.E.

**RESOLUTION NO. R-18-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, GRANTING CONSENT TO FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 15 TO ANNEX CERTAIN LAND SITUATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MISSOURI CITY, TEXAS.**

\* \* \* \* \*

WHEREAS, Fort Bend County Levee Improvement District No. 15 (the "District") is located within the extraterritorial jurisdiction of the City of Missouri City, Texas; and

WHEREAS, Section 42.0425 of the Texas Local Government Code, as amended, provides that no land within the corporate limits of a city or within the extraterritorial jurisdiction of a city shall be included within a district unless such city grants its written consent, by resolution or ordinance, to the inclusion of the land within the district; and

WHEREAS, on or about January 24, 2018, a petition for consent to annex land lying within the extraterritorial jurisdiction of the City of Missouri City, Texas, to the District was submitted to the City of Missouri City; and

WHEREAS, said petition, attached hereto as Exhibit "1" and made a part hereof for all purposes, was duly executed by the District; and

WHEREAS, Larry Morris, trustee for the Brazos Bend Ranch Trust, holder of title to 97.84 acres of the land, has petitioned that the land be added to the District; and

WHEREAS, the land sought to be annexed into the District contains an area of 97.84 acres of land, more or less, situated wholly within the extraterritorial jurisdiction of the City of Missouri City, Texas, and the County of Fort Bend, Texas, and is more particularly described by metes and bounds in Exhibit A of Exhibit "1"; and

WHEREAS, in submitting such petition for consent to annex land, the petitioners have agreed to be bound by certain covenants and conditions as fully set forth in Exhibit "2" and incorporated herein by reference; and

WHEREAS, after due consideration, it is the opinion of the City Council of the City of Missouri City that consent to the annexation of additional territory into the District should be given; now, therefore,

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

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

Section 2. The City of Missouri City, Texas, hereby consents to the annexation to Fort Bend County Levee Improvement District No. 15, of a tract of land, containing 97.84 acres of land, situated wholly within the extraterritorial jurisdiction of the City of Missouri City, Texas, within the County of Fort Bend, Texas, and more particularly described by metes and bounds in Exhibit A of Exhibit "1".

Section 3. The consent to annex granted hereby is subject to the covenants and conditions set forth in Exhibit "2", all of which are agreed to therein by petitioner as same as applies to the current land within the District and its current operation as well as to the proposed annexation of land and future operations of the District. That Fort Bend County Levee Improvement District No. 15 shall further be required to notify the City of all of its meetings of the Board of Directors, stating the date, time and place of same along with the agenda of said meeting; and, further, that the District shall furnish minutes of said meetings to the City.

Section 4. *Repeal.* Any and all resolutions or parts of resolutions inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. *Open Meetings Act Compliance.* The City Council of the City of Missouri City, Texas, 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 at the City Hall of the City of Missouri City, Texas, for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code; and that this meeting was open to the public as required by law at all times during which this Resolution and the subject matter thereof was discussed, considered and formally acted upon. The City Council of the City of Missouri City, Texas, further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. *Effective Date.* This Resolution shall take effect immediately from and after its passage and approval by the City Council of the City of Missouri City, Texas.

PASSED, APPROVED and RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

Exhibit "1"

PETITION FOR CONSENT TO ANNEX LAND INTO  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 15

STATE OF TEXAS

COUNTY OF FORT BEND

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF MISSOURI CITY,  
TEXAS:

Fort Bend County Levee Improvement District No. 15 and Larry Morris, as Trustee for Brazos Bend Ranch Trust (together, the "Petitioner"), acting pursuant to the provisions of Chapters 49, Texas Water Code, particularly Section 49.301 of that Code, together with all amendments and additions thereto, respectfully petition the City Council of the City of Missouri City, Texas, (the "City") for its written consent to the annexation by the District of the 97.84-acre tract of land described by metes and bounds in **Exhibit A** (the "Land"), which is attached hereto and incorporated herein for all purposes. In support of this petition, the undersigned would show the following:

I.

The District is a levee improvement district duly created under the laws of the State of Texas on September 19, 2000. The District was created and organized under the terms and provisions of Article XVI, Section 59, of the Constitution of Texas, and is governed by the provisions of Chapters 49 and 57, Texas Water Code.

II.

The Petitioner holds fee simple title to the Land, as indicated by the certificate of ownership provided by the Fort Bend Central Appraisal District. The Petitioner hereby certifies that there are no holders of liens on the Land.

III.

The Land is situated wholly within Fort Bend County, Texas. All of the Land is within the extraterritorial jurisdiction (as such term is defined in Chapter 42, Texas Local Government Code, as amended) of the City of Missouri City, Texas. No part of the Land is within the limits of any incorporated city, town, or village. All of the Land may properly be annexed into the District.

IV.

The general nature of the work to be done within the Land is the construction, acquisition, maintenance and operation of a levee and drainage system and a parks and recreational facilities system.

V.

There is, for the following reasons, a necessity for the above-described work. The Land, which will be developed for residential and/or commercial purposes, is urban in nature, is within the growing

## Exhibit "1"

environs of the City, is in close proximity to populous and developed sections of Fort Bend County, and within the immediate future will experience a substantial and sustained residential and commercial growth. There is not now available within the Land an adequate levee and drainage system nor a parks and recreational facilities system, and it is not presently economically feasible for the Land to provide for such systems itself. Because the health and welfare of the present and future inhabitants of the Land and of lands adjacent thereto require the construction, acquisition, maintenance and operation of an adequate levee and drainage system, and a parks and recreational facilities system, a public necessity exists for the annexation of the Land into the District, to provide for the purchase, construction, extension, improvement, maintenance and operation of such levee and drainage system, and a parks and recreational facilities system, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

### VI.

The undersigned estimate, from such information as they have at this time, that the cost of extending the District's facilities to serve the Land is \$5,006,000.

### VII.

As required by the City's current Code of Ordinances, with respect to the Land, the District agrees to the conditions attached hereto as **Exhibit B**.

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City give its written consent to the annexation of the Land into the District.

[EXECUTION PAGES FOLLOW]

## Exhibit "1"

environs of the City, is in close proximity to populous and developed sections of Fort Bend County, and within the immediate future will experience a substantial and sustained residential and commercial growth. There is not now available within the Land an adequate levee and drainage system nor a parks and recreational facilities system, and it is not presently economically feasible for the Land to provide for such systems itself. Because the health and welfare of the present and future inhabitants of the Land and of lands adjacent thereto require the construction, acquisition, maintenance and operation of an adequate levee and drainage system, and a parks and recreational facilities system, a public necessity exists for the annexation of the Land into the District, to provide for the purchase, construction, extension, improvement, maintenance and operation of such levee and drainage system, and a parks and recreational facilities system, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

### VI.

The undersigned estimate, from such information as they have at this time, that the cost of extending the District's facilities to serve the Land is \$5,006,000.

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City give its written consent to the annexation of the Land into the District.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED on January 23, 2018.



FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 15, a political subdivision of the State of Texas

By: Frank Yonish  
Name: Frank Yonish  
Title: President

(SEAL)

STATE OF TEXAS

COUNTY OF FORT BEND

This instrument was acknowledged before me on this 23rd day of January, 2018, by Frank Yonish, as President of the Board of Directors of Fort Bend County Levee Improvement District No. 15, a political subdivision of the State of Texas, on behalf of said political subdivision.



(NOTARY SEAL)

Keely Campbell  
Notary Public, State of Texas

Exhibit "1"

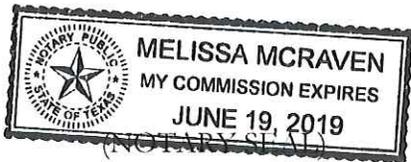
RESPECTFULLY SUBMITTED on January 22, 2018.

Larry Morris, Trustee  
Larry Morris, as Trustee for  
Brazos Bend Ranch Trust

STATE OF TEXAS

COUNTY OF Fort Bend

This instrument was acknowledged before me this 22 day of January, 2018, by  
Larry Morris, as Trustee for Brazos Bend Ranch Trust.



Melissa McRaven  
Notary Public, State of Texas

Attachment

**Exhibit A** - Legal Description of the Land

Exhibit "1"

CERTIFICATE

STATE OF TEXAS

COUNTY OF FORT BEND

I, the undersigned Secretary of the Board of Directors of Fort Bend County Levee Improvement District No. 15, do hereby certify that the attached and foregoing is a true and correct copy of the Petition For Consent To Annex Land Into Fort Bend County Levee Improvement District No. 15 that was filed with the Board of Directors of the District on January 23, 2018.

WITNESS MY HAND AND SEAL OF SAID DISTRICT on January 23, 2018.



(SEAL)

Fort Bend County Levee Improvement District No. 15

By: Darrell Groves  
Darrell Groves  
Secretary, Board of Directors

Exhibit "1"

Exhibit A

Page 1 of 3 Pages

County: Fort Bend  
Project: Riverstone: Bylar tract  
C.I. No.: 1167-17  
Job Number: 2017-140-20

**FIELD NOTES FOR 97.84 ACRES**

Being a 97.84 acre tract of land located in the William Little Survey, Abstract-54, in Fort Bend County, Texas; said 97.84 acre tract being a portion of a call 217.397-acre tract of land recorded in the name of Larry Morris, Trustee, in Clerk's File Number 9484041 of the Official Records of Fort Bend County (O.R.F.B.C.), Texas; said 97.84 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone and the west line of Edgewood at Riverstone Section Two, a subdivision recorded in Plat Number 20130205 of the Fort Bend County Plat Records (F.B.C.P.R.):

**Beginning** at a 1-inch iron pipe found for the northeast corner of said 217.397-acre tract and the most westerly corner of Reserve "E" of said Edgewood at Riverstone Section Two, same being on the south line of Reserve "A" of Auburn Manor Section 3, a subdivision recorded in Plat Number 20130226 of the F.B.C.P.R.

1. Thence, with the common line of said Edgewood at Riverstone Section Two and said 217.397-acre tract, South 35 degrees 25 minutes 53 seconds East, at a distance of 1,389.52 feet passing a 5/8-inch iron rod with cap stamped "COSTELLO INC" found for the southwest corner of said subdivision, in all, a total distance of 1469.05 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the northeast corner of a call 0.1634-acre tract of land recorded in Clerk's File Number 2005082614 of the O.R.F.B.C.;
2. Thence, with the north line of said 0.1634-acre tract, South 56 degrees 34 minutes 03 seconds West, a distance of 181.45 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
3. Thence, continuing with said north line, South 60 degrees 49 minutes 15 seconds West, a distance of 179.52 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set on the south line of said 217.397-acre tract, same being on the occupied north Right-of-Way (R.O.W.) line of Hagerson Road (width varies) as recorded in Volume 138, Page 489 of the Fort Bend County Deed Records (F.B.C.D.R.);
4. Thence, with said south line and said north R.O.W. line, South 68 degrees 18 minutes 19 seconds West, a distance of 962.33 feet to a 1/2-inch iron pipe found;
5. Thence, continuing with said south line and said north R.O.W. line, South 67 degrees 11 minutes 28 seconds West, a distance of 209.45 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the most easterly corner of a call 0.5615-acre tract of land recorded in Clerk's File Number 2005082614 of the O.R.F.B.C.;

Exhibit "1"

Page 2 of 3 Pages

Thence, with the north line of said 0.5615-acre tract, the following three (3) courses:

6. South 78 degrees 07 minutes 43 seconds West, a distance of 115.92 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
7. South 69 degrees 23 minutes 26 seconds West, a distance of 293.19 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
8. South 67 degrees 04 minutes 16 seconds West, a distance of 40.57 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the east corner of a call 12.8314-acre tract of land recorded in Clerk's File Number 2005082614 of the O.R.F.B.C.;

Thence, with the north line of said 12.8314-acre tract, the following fourteen (14) courses:

9. North 22 degrees 55 minutes 55 seconds West, a distance of 75.01 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
10. 204.20 feet along the arc of a curve to the left, said curve having a central angle of 89 degrees 59 minutes 47 seconds, a radius of 130.00 feet and a chord that bears North 67 degrees 55 minutes 49 seconds West, a distance of 183.84 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
11. South 67 degrees 04 minutes 17 seconds West, a distance of 349.94 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
12. North 84 degrees 52 minutes 45 seconds West, a distance of 200.23 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
13. North 45 degrees 06 minutes 11 seconds West, a distance of 168.73 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
14. 93.80 feet along the arc of a curve to the left, said curve having a central angle of 41 degrees 20 minutes 28 seconds, a radius of 130.00 feet and a chord that bears North 65 degrees 46 minutes 25 seconds West, a distance of 91.78 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
15. North 86 degrees 26 minutes 39 seconds West, a distance of 416.80 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
16. North 83 degrees 27 minutes 06 seconds West, a distance of 375.98 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
17. North 89 degrees 23 minutes 28 seconds West, a distance of 374.69 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;

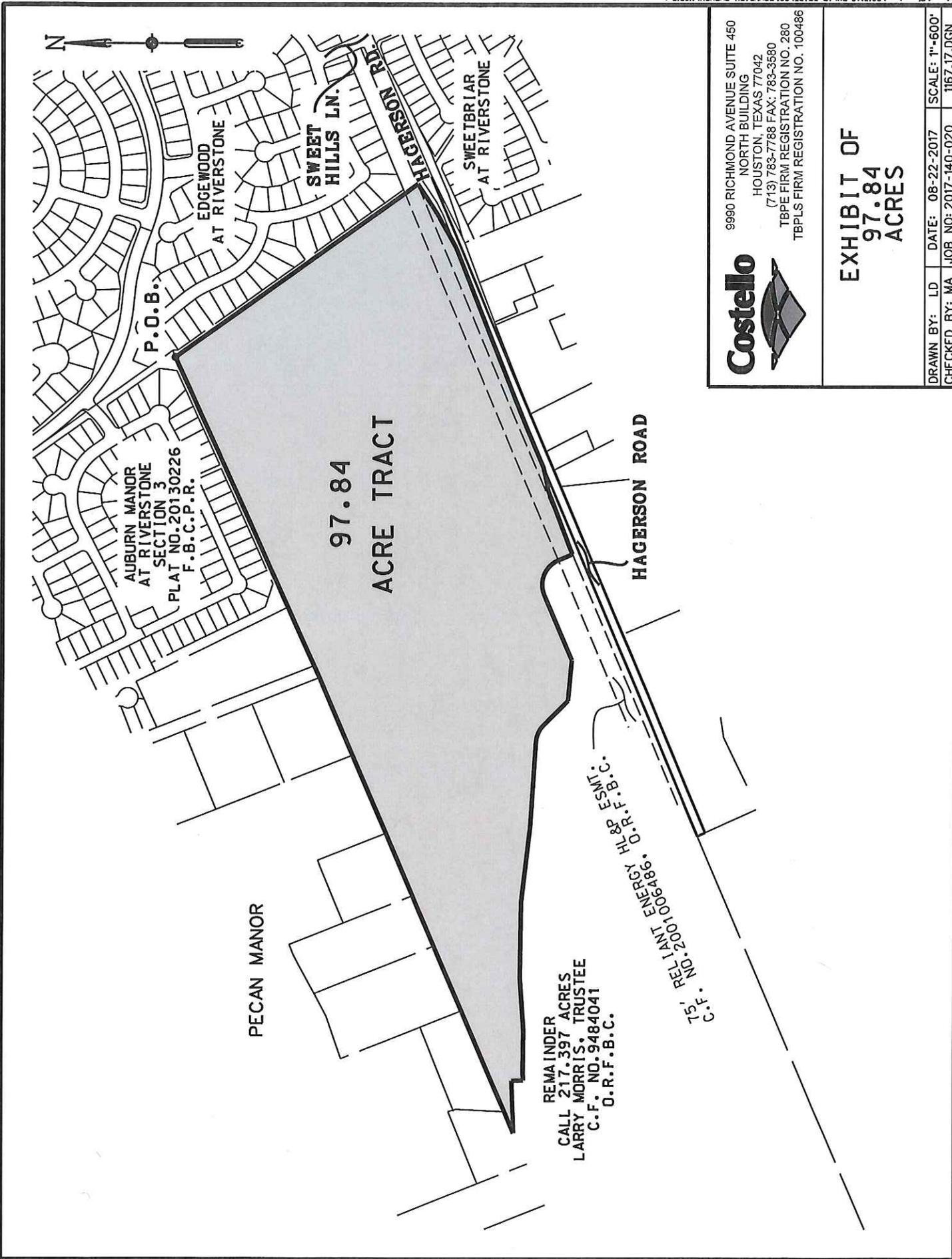
Exhibit "1"

Page 3 of 3 Pages

18. South 85 degrees 57 minutes 38 seconds West, a distance of 250.93 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
19. North 89 degrees 29 minutes 26 seconds West, a distance of 206.83 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
20. South 88 degrees 03 minutes 57 seconds West, a distance of 43.84 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
21. North 01 degrees 56 minutes 03 seconds West, a distance of 56.25 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
22. South 88 degrees 03 minutes 57 seconds West, a distance of 256.74 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set, same being on the north line of aforesaid 217.397-acre tract and the south line of a call 2.0-acre tract of land recorded in Volume 614, Page 119 of the F.B.C.D.R.;
23. Thence, with the north line of said 217.397-acre tract, the south line of said 2.0-acre tract, the south line of a call 2.53-acre tract of land recorded in Clerk's File Number 2014133586 of the O.R.F.B.C., the south line of a call 5.0493-acre tract of land recorded in Clerk's File Number 2017021414 of the O.R.F.B.C., the south line of a call 4.02-acre tract of land recorded in Clerk's File Number 2012041957 of the O.R.F.B.C., the south line of a call 2.82-acre tract of land recorded in Clerk's File Number 2016069446 of the O.R.F.B.C., the south line of a call 3.48-acre tract of land recorded in Clerk's File Number 2014093094 of the O.R.F.B.C. and the south line of a call 3.4430-acre tract of land recorded in Clerk's File Number 9824180 of the O.R.F.B.C., North 66 degrees 31 minutes 46 seconds East, a distance of 2,442.16 feet to a 1-inch iron pipe found at the southeast corner of said 3.4430-acre tract and the southwest corner of a call 8.3936-acre tract of land recorded in Clerk's File Number 2006009958 of the O.R.F.B.C.;
24. Thence, continuing with the north line of said 217.397-acre tract and with the south line of said 8.3936-acre tract and the south line of aforesaid Auburn Manor Section 3; North 65 degrees 41 minutes 43 seconds East, a distance of 1730.40 feet to the **Point of Beginning** and containing 97.84 acres of land.



*Mark D. Armstrong*  
08/18/2012



**Costello**

9990 RICHMOND AVENUE SUITE 450  
 NORTH BUILDING  
 HOUSTON, TEXAS 77042  
 (713) 783-7788 FAX: 783-3580  
 TBPE FIRM REGISTRATION NO. 280  
 TBPLS FIRM REGISTRATION NO. 100486

**EXHIBIT OF  
 97.84  
 ACRES**

DRAWN BY: LD    DATE: 08-22-2017    SCALE: 1"=600'  
 CHECKED BY: MA    JOB NO: 2017-140-020    1167.17.DGN

PECAN MANOR

97.84  
ACRE TRACT

HAGERSON ROAD

REMAINDER  
 CALL 217.397 ACRES  
 LARRY MORRIS, TRUSTEE  
 C.F. NO. 9484041  
 O.R.F.B.C.

C.F. NO. 2001006489  
 BELANT ENERGY HL & ES 11.1  
 O.R.F.B.C.



**Exhibit B**

A. The District may issue bonds only for the purpose of acquiring, purchasing or constructing, under contract with the City of Missouri City (the "City") or otherwise, waterworks systems, wastewater systems, stormwater systems, drainage facilities, recreational facilities and road facilities, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions and repairs thereto, and to purchase or acquire all necessary land, right-of-way easements, sites, equipment, buildings, plants, structures and facilities therefor, and to operate and maintain the same, and to sell water, wastewater and other services within or without the boundaries of the District, unless otherwise agreed to by the City. Such bonds shall expressly provide that the District shall reserve the right to redeem said bonds on any interest payment date subsequent to the tenth (10th) anniversary of the date of issuance without premium and shall only be sold after the taking of public bids therefor, other than refunding bonds, which may be sold on a negotiated basis, and none of such bonds, other than refunding bonds, shall be sold for less than ninety-five (95) percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, shall not exceed two (2) percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the first date notice of the sale of such bonds is published, and bids for the bonds shall be received not more than forty-five (45) days after notice of sale of the bonds if so published. The resolution or order authorizing the issuance of the District's bonds will contain, if applicable, a provision that the pledge of the revenues from the operation of the District's water and wastewater and/or drainage systems to the payment of the District's bonds will terminate if and when the City annexes the District or takes over the assets of the District and assumes all of the obligations of the District. No land will be added or annexed to the District until the City has given its written consent by action of the City Council on such addition or annexation. No bonds of the District may be issued without specific City consent if the City has given notice to the District that it intends to annex and/or dissolve the District within 365 or fewer days after such notice. The District will promptly provide the City with the Official Statement regarding the issuance of the bonds, once it is complete. If the District is a management district, it shall obtain City approval of all bonds it issues in accordance with Section 375.207, Texas Local Government Code. The District must obtain City approval to issue refunding bonds. Refunding bonds must comply with all City ordinances pertaining the sale of refunding bonds by a District within the City's boundaries or its extra-territorial jurisdiction, as such ordinances may be amended from time to time.

B. Before the commencement of any construction within the District, the District, its directors, officers, or developers and/or landowners shall submit to the Director of the Department of Public Works of the City, or to his designee, all plans and specifications for the construction of water, wastewater, drainage, recreational and road facilities and related improvements to serve the District and obtain the City's written approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes and appurtenances thereto, installed or used within the District, shall conform exactly to the then-applicable specifications of the City. All water service lines, wastewater service lines, lift stations, wastewater treatment facilities, road facilities and appurtenances thereto installed or

## Exhibit "1"

used within the District, as well as any recreational facilities to be accepted by the City, shall comply with the City's standards, the approved plans and specifications and the then-applicable ordinances, resolutions, or regulations of the City, unless otherwise agreed to in writing by the City and the District. Prior to the construction of such facilities within or by the District, the District or its engineer shall give written notice by registered or certified mail to the Director of Public Works of the City, or his designee, stating the date on which such construction will be commenced. The construction of the District's water, wastewater, drainage, recreational and road facilities shall be in accordance with the approved plans and specifications and with applicable standards and specifications of the City and as approved by the City Engineer and the Director of Public Works of the City. During the progress of the construction and installation of such facilities, a designated representative of the City may make periodic on-the-ground inspections in order to determine that the installation and construction conform with the approved plans and specifications and the applicable standards and specifications of the City. In the event that it is determined by the representative of the City that construction and/or installations are not being performed in conformance with the approved plans and specifications and with the applicable standards and specifications of the City, upon being so informed by a duly designated City representative, the District agrees to discontinue further construction and installation of all facilities until the cause of the non-compliance is resolved.

C. In the event that the District operates a wastewater treatment plant, the District agrees it will employ a wastewater plant operator holding an applicable, valid certificate of competency issued under the direction of the Texas Commission on Environmental Quality ("TCEQ"). If the District operates the plant, the District shall make periodic analyses of its discharge pursuant to the rules of the TCEQ and shall send copies of all such effluent data to the Department of Public Works of the City, as well as to the TCEQ. Representatives of the City may supervise the continued operations of the wastewater treatment facility by making periodic inspections thereof.

D. The District shall not provide water, wastewater or drainage facilities to any tract of land until the owner or developer of said tract has, prior to the sale of any subdivided lots or parcels of land, duly recorded a plat in the map and plat records of the county in which the District lies and which plat has been previously approved by the Planning and Zoning Commission of the City. If the District contracts with the City for water supply or wastewater treatment services, the District may not provide service to any land outside its boundaries without the prior written consent of the City.



January 19, 2018

Fort Bend County Levee Improvement District No. 15  
Board of Directors  
c/o Mrs. Nancy Carter  
The Muller Law Group, PLLC  
16555 Southwest Freeway, Suite 200  
Sugar Land, TX 77479

Re: **Feasibility for 97 Acre Annexation Into Fort Bend County LID No. 15**  
CI Job No. 1998030-100

Dear Directors:

The following and attached are the items needed by the City of Missouri City to consider approving the proposed annexation referenced above. The items attached include:

1. Current District boundary map.
2. District location map that includes the status of platted property within the District and the proposed annexation parcel.
3. Utility one-line exhibit that shows the proposed development and facilities to service the annexation parcel.
4. Feasibility report that includes the estimated construction costs and impact to the District's tax rate.

Should anyone have questions or require additional information, please call.

Sincerely,  
**Fort Bend County LID No. 15**  
**District Engineer**  
**COSTELLO, INC.**

A handwritten signature in blue ink, appearing to read "Chad E. Hablinski".

Chad E. Hablinski, P.E.  
Sr. Project Manager/Partner

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Exhibit "1"

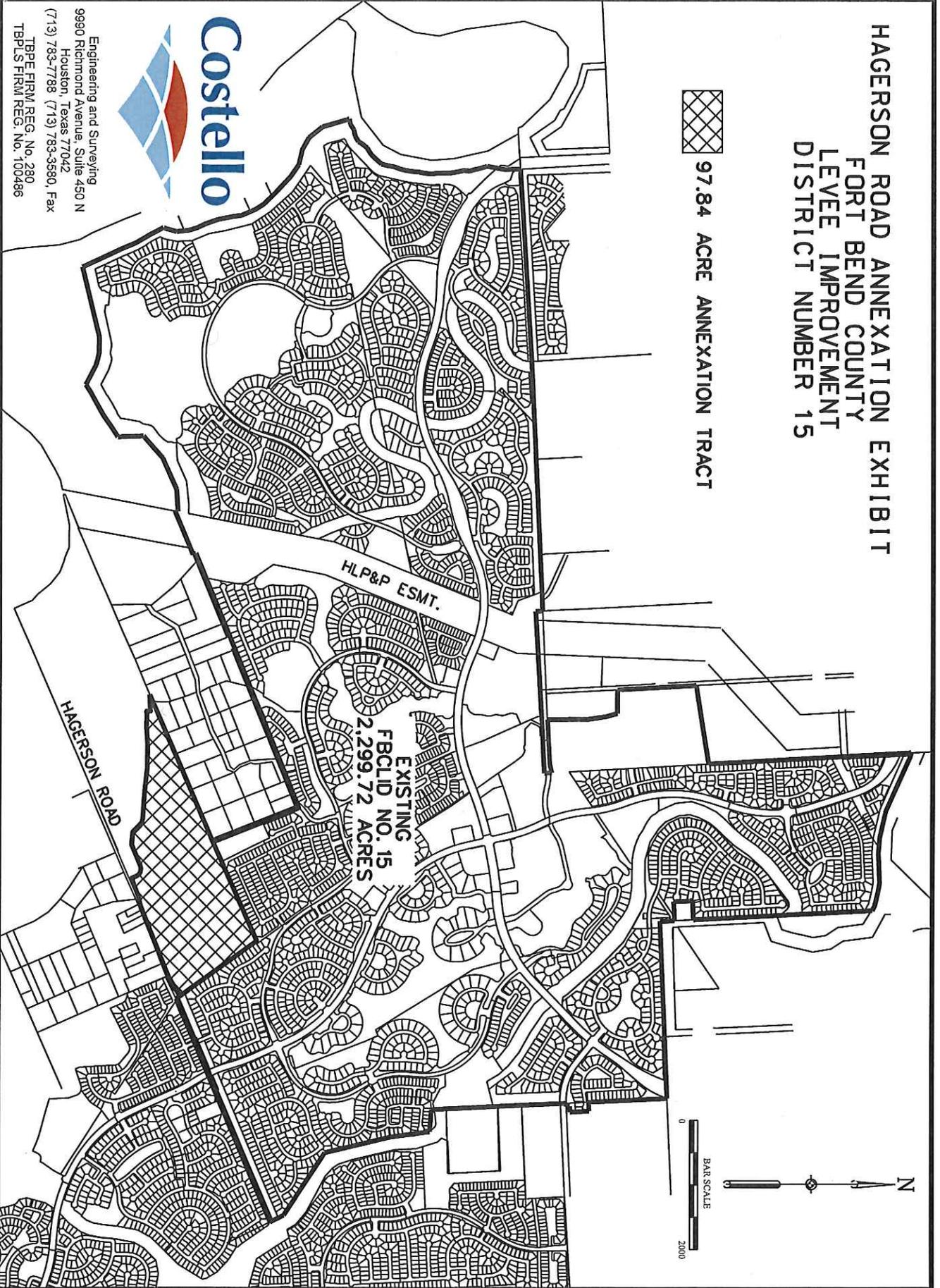
S:\NEW\Riverstone\2017140-BYLAR TRACT\LID 15 EXHIBIT.dgn  
1/15/2018 9:22:37 AM

Exhibit 2

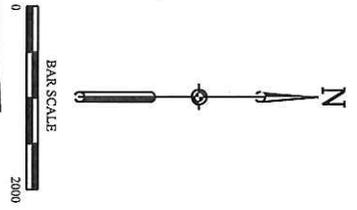
HAGERSON ROAD ANNEXATION EXHIBIT  
FORT BEND COUNTY  
LEVEE IMPROVEMENT  
DISTRICT NUMBER 15



97.84 ACRE ANNEXATION TRACT



Engineering and Surveying  
9990 Richmond Avenue, Suite 450 N  
Houston, Texas 77042  
(713) 783-7788 (713) 783-3550, Fax  
TBPE FIRM REG. No. 280  
TBPLS FIRM REG. No. 100486







January 19, 2018

Fort Bend County Levee Improvement District No. 15  
Board of Directors  
c/o Mrs. Nancy Carter  
The Muller Law Group, PLLC  
16555 Southwest Freeway, Suite 200  
Sugar Land, TX 77479

Re: **Feasibility for 97 Acre Annexation Into Fort Bend County LID No. 15**  
CI Job No. 1998030-100

Dear Directors:

The following is the engineer's assessment of the capability of Fort Bend County Levee Improvement District No. 15 (FBCLID 15) to service the subject property with flood protection and detention. This summary makes no representations as to the District's legal ability to reimburse the developer for any improvements, land costs or impact fees.

#### **General**

FBCLID No. 15 is located within the extraterritorial jurisdiction of Sugar Land and City of Missouri City, Texas. The District is located at the intersection of LJ Parkway and University Boulevard. A request has been made to annex +/- 97 acres, increasing the total acreage to +/- 2,396 acres. The subject property is located north of the Hagerson Road approximately 2,400-feet west of LJ Parkway and is located in the City of Missouri City ETJ.

#### **Flood Protection**

FBCLID 15 currently provides Brazos River flood protection with the current levee system. No additional flood protection costs are expected.

#### **Snake Slough Pump Station**

The existing outfall through the FBCLID 15 levee from Snake Slough does not include a storm water pump station. The District currently relies on surplus storm water storage within the drainage area to accommodate the system. However, after recent events where the Brazos River was at flood stage for weeks at a time, we recommend that a permanent pump station be installed on this system. The estimated cost of the pump station is \$1,400,000.

#### **Detention**

Detention capacity for the tract will be required for development. FBCLID 15 would provide detention for this site. The construction costs and land costs are included in the following table. These costs would be considered reimbursable under current TCEQ rules.

# Exhibit "1"

## SUMMARY OF COSTS

Total Number of Acres	97
Total Assessed Value (at build out) <sup>(1)</sup>	\$145,200,000
Estimated Flood Protection Costs	\$0
Storm Water Pump Station	\$1,400,000
Estimated Detention Capacity Costs	\$925,000
Estimated Engineering/Testing/SWPPP Fees (25%)	\$581,000
Overall Construction + Engineering	\$2,906,000
Estimated Land Costs for Detention <sup>(1)</sup>	\$2,100,000
Total Reimbursable Costs	\$5,006,000
Typical Annual Debt Service <sup>(2)</sup>	\$444,000
Existing Debt Service Tax Rate	\$0.55 / \$100
Estimated Tax Rate Required for 100% Reimbursement (assumes no appreciation; 95% Collections) <sup>(2 &amp; 3)</sup>	\$0.322 / \$100

(1) Provided by property owner.

(2) Assumes 25 year maturity, 20% soft costs and 5.0% interest rate.

(3) Please refer to the Financial Advisor for detailed review of this information as we are not qualified to make financial recommendations to the board.

The District has sufficient voted bonds to accommodate the reimbursement described above. The Board should obtain a recommendation from the District's financial advisor before finalizing the decision to annex the subject property.

Should anyone have questions or require additional information, please call.

Sincerely,

**Fort Bend County LID No. 15**  
**District Engineer**  
**COSTELLO, INC.**

Chad E. Hablinski, P.E.  
 Sr. Project Manager/Partner

Cc: Mr. Bobby Skinner – Taylor Morrison of Texas (via email only)  
 Ms. Anthea Moran – Hilltop Securities (via email only)

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## Exhibit "2"

A. The District may issue bonds only for the purpose of acquiring, purchasing or constructing, under contract with the City of Missouri City (the "City") or otherwise, waterworks systems, wastewater systems, stormwater systems, drainage facilities, recreational facilities and road facilities, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions and repairs thereto, and to purchase or acquire all necessary land, right-of-way easements, sites, equipment, buildings, plants, structures and facilities therefor, and to operate and maintain the same, and to sell water, wastewater and other services within or without the boundaries of the District, unless otherwise agreed to by the City. Such bonds shall expressly provide that the District shall reserve the right to redeem said bonds on any interest payment date subsequent to the tenth (10th) anniversary of the date of issuance without premium and shall only be sold after the taking of public bids therefor, other than refunding bonds, which may be sold on a negotiated basis, and none of such bonds, other than refunding bonds, shall be sold for less than ninety-five (95) percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, shall not exceed two (2) percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the first date notice of the sale of such bonds is published, and bids for the bonds shall be received not more than forty-five (45) days after notice of sale of the bonds if so published. The resolution or order authorizing the issuance of the District's bonds will contain, if applicable, a provision that the pledge of the revenues from the operation of the District's water and wastewater and/or drainage systems to the payment of the District's bonds will terminate if and when the City annexes the District or takes over the assets of the District and assumes all of the obligations of the District. No land will be added or annexed to the District until the City has given its written consent by action of the City Council on such addition or annexation. No bonds of the District may be issued without specific City consent if the City has given notice to the District that it intends to annex and/or dissolve the District within 365 or fewer days after such notice. The District will promptly provide the City with the Official Statement regarding the issuance of the bonds, once it is complete. If the District is a management district, it shall obtain City approval of all bonds it issues in accordance with Section 375.207, Texas Local Government Code. The District must obtain City approval to issue refunding bonds. Refunding bonds must comply with all City ordinances pertaining the sale of refunding bonds by a District within the City's boundaries or its extra-territorial jurisdiction, as such ordinances may be amended from time to time.

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used within the District, as well as any recreational facilities to be accepted by the City, shall comply with the City's standards, the approved plans and specifications and the then-applicable ordinances, resolutions, or regulations of the City, unless otherwise agreed to in writing by the City and the District. Prior to the construction of such facilities within or by the District, the District or its engineer shall give written notice by registered or certified mail to the Director of Public Works of the City, or his designee, stating the date on which such construction will be commenced. The construction of the District's water, wastewater, drainage, recreational and road facilities shall be in accordance with the approved plans and specifications and with applicable standards and specifications of the City and as approved by the City Engineer and the Director of Public Works of the City. During the progress of the construction and installation of such facilities, a designated representative of the City may make periodic on-the-ground inspections in order to determine that the installation and construction conform with the approved plans and specifications and the applicable standards and specifications of the City. In the event that it is determined by the representative of the City that construction and/or installations are not being performed in conformance with the approved plans and specifications and with the applicable standards and specifications of the City, upon being so informed by a duly designated City representative, the District agrees to discontinue further construction and installation of all facilities until the cause of the non-compliance is resolved.

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**Council Agenda Item  
February 5, 2018**

**12. CITY COUNCIL ANNOUNCEMENTS**

*Discussion, review, and possible action regarding a meeting or activity of one or more of the following entities (each entity refers to a City of Missouri City entity unless otherwise indicated):*

Charter Review Commission, Community Development Advisory Committee, Construction Board of Adjustments, Electrical Board, Parks Board, Planning and Zoning Commission, Tax Increment Reinvestment Zone Boards, Fort Bend Chamber of Commerce, Houston-Galveston Area Council, Fort Bend Regional Council, Texas Municipal League, Fort Bend County, Harris County, Gulf Coast Building and Construction Trades Council, Mayor's Youth Commission, Finances and Services Committee, Fort Bend Leadership Forum, Fort Bend County Drainage District, Economic Development Committee, Missouri City Parks Foundation, Missouri City Police and Fire Auxiliary, Livable Community Committee, Texas Parkway Alliance, High Performance Organization Committee, Missouri City Juneteenth Celebration Foundation, Fort Bend County Mayor and Council Association, METRO, Planning, Development and Infrastructure Committee, Fort Bend Independent School District, Greater Fort Bend Economic Development Coalition, Transportation Policy Council, Community Development Advisory Committee, Veterans Memorial Committee, Missouri City Recreation and Leisure Local Government Corporation, Missouri City Development Authority, and the Greater Houston Partnership and Emergency Management updates.

**13. 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.*

**14. RECONVENE**

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

**15. ADJOURN**

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