

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, August 20, 2018, at 7:00 p.m.** at: **City Hall, Council Chamber, 2nd Floor**, 1522 Texas Parkway, Missouri City, Texas, 77489, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS

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

5. STAFF REPORTS

- (a) City Manager announcements.

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 City Council meeting of July 23, 2018, and the special and regular City Council meetings of August 6, 2018.
- (b) Consider an ordinance granting a specific use permit for the location of a telecommunications tower and associated equipment; providing for an amendment to the comprehensive plan; providing a penalty; and consider the ordinance on the second and final reading. The telecommunications site is proposed to be located within the Quail Valley Thunderbird North subdivision, within a neighborhood park, north of the intersection of Turtle Creek Drive and Southern Hills Drive and west of Roane Park.

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) Zoning Public Hearings and Ordinances

- (1) Consider an ordinance rezoning an approximate 24.45-acre tract of land from LC-3 retail district to PD planned development district to allow for a mixed-use commercial and residential development; 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 Excel Urgent Care, south of a Murphy Express gas station and Cube Smart self-storage, east of Quail Valley Thunderbird and a Public Storage, and west of Colony Lakes residential subdivision.

(b) Public Hearings and related actions

- (1) Public hearing to receive comments for or against city residential and commercial solid waste and recyclable material collection rates; consider a resolution adopting a schedule of fees for city residential and commercial solid waste and recycling collection services; and providing an effective date.
- (2) Public hearing for or against a request to change the name of Lakeshore Harbour Boulevard, a public street located in the City of Missouri City, Texas, to Trammel Fresno Road; 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 execution of an amendment to the interlocal agreement between the City of Missouri City and Fort Bend County for improvements to Independence Boulevard (Segment 1).

10. ORDINANCES

- (a) Consider an ordinance changing the name of Lakeshore Harbour Boulevard, a public street located in the City of Missouri City, Texas, to Trammel Fresno Road; and consider the ordinance on the first of two readings.
- (b) Consider an ordinance amending Chapter 18, Businesses, of the Missouri City Code; establishing regulations for massage establishments; providing a penalty; and consider the ordinance on the second and final reading.

11. RESOLUTIONS

- (a) Consider a resolution amending the schedule of fees for development services.
- (b) Consider a resolution amending the authorized representatives to the Texas Local Government Investment Pool.
- (c) Consider a resolution authorizing the publication of the notice of intention to issue City of Missouri City, Texas Certificates of Obligation in a principal amount not to exceed \$2,100,000 for the construction of public works and any related items thereto and for the payment of contractual obligations for professional services; authorizing the distribution of a preliminary official statement relating to such certificates; and containing other provisions relating thereto.
- (d) Consider a resolution authorizing the publication of the notice of intention to issue City of Missouri City, Texas Certificates of Obligation in a principal amount not to exceed \$21,000,000 for the construction of public works and any related items thereto and for the payment of contractual obligations for professional services; authorizing the distribution of a preliminary official statement relating to such certificates; and containing other provisions relating thereto.
- (e) Consider a resolution approving the submission of a grant application to the Firehouse Subs Public Safety Foundation to fund the purchase of a Simulated Impaired Driving Experience package.

- (f) Consider a resolution approving the submission of a grant application to the Criminal Justice Division of the Office of the Governor through the Houston-Galveston Area Council to fund the purchase of a mobile video surveillance trailer.

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

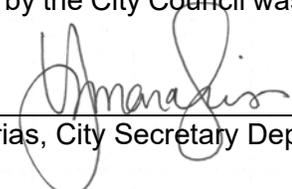
Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.

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 August 20, 2018, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on August 17, 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
August 20, 2018**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS

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5. STAFF REPORTS

- (a) City Manager announcements.
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Councilmember District D

CITY COUNCIL SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, July 23, 2018**, at the City Hall, Council Chamber, 2nd Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **6:00 p.m.** to consider the following:

1. ROLL CALL

Mayor Owen called the meeting to order at 6:04 p.m.

Those also present: Councilmembers Wyatt, Preston, Boney, Maroulis, and Emery; City Manager Snipes, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Assistant City Manager Elmer, Director of Development Services Spriggs, Director of Communications Walker, Planning Manager Thomas Gomez, Office Manager Brown, and Media Relations Specialist Stottlemeyer. Community Development Advisory Committee (CDAC) members present: Chair Reiter, and Committee members Rasmus, Eugene, and Brown. Absent: Mayor Pro Tem Ford.

2. DISCUSSION/POSSIBLE ACTION

(a) Discuss the development of the Community Development Block Grant consolidated plan.

Councilmember Wyatt provided an overview of the operational guidelines approved by City Council for the Community Development Block Grant (CDBG) program as follows: scholarship monies shall be awarded to students only within CDBG areas; funds received eligible applicants, if they were at the midpoint with the 41.3% exception only; slum and blight and infrastructure shall have highest priority; the Community Development Advisory Committee should not fund any parks unless they were public parks; staff would need to physically canvas the needs of the applicants lacking resources and access; and, the applications shall clearly state that the Community Development Advisory Committee would submit recommendations to City Council, which makes the final decision on CDBG allocations. Councilmember Wyatt further stated that preference be given to students pursuing public safety or government sector fields. CDAC member Eugene provided details on the scholarship guidelines and the award process. Mayor Owen stated preference should be given to students within CDBG areas.

Mayor Owen expressed concerns over the \$272,007 available in CDBG funds to the City, where 20-percent was reserved for administrative fees, and asked if the Committee and City Council wished to continue to administer the funds, as oppose to directing the funds to County. Chair Reiter expressed concerned over the City not receiving its share of its contribution, if the County was administering the funds on behalf of the City. Mayor Owen stated the City could include a condition stating that the County present what they have done with the CDBG funds for the City of Missouri City. Councilmember Boney stated he was in favor of the City administering the CDBG funds, not the County. Councilmember Wyatt agreed that the CDBG funds needed to be administered by the City and to the residents who need it the most.

Councilmember Emery asked what emphasis was placed on trade school scholarships. CDAC member Rasmus stated scholarship funds were distributed to those who applied and were within the guidelines of the scholarship. Councilmember Emery asked if schools were contacted and recommended students eligible to receive CDBG scholarships for trade schools. Councilmember Boney stated students were encouraged

to apply for scholarships. CDBG Chair Reiter confirmed that anyone who applied and qualified under HUD regulations, would be eligible to receive the scholarship. Councilmember Wyatt stated trade schools and two-year schools would need to be highlighted as eligible under the CDBG scholarships, not only four-year schools. Councilmember Boney stated eligible schools were noted on the application. Councilmember Preston stated a public campaign would be beneficial with addressing the opportunities available to students. CDAC member Eugene stated, for many years, she has worked with many high schools and spoken to the person in charge of scholarships.

Director of Development Services Spriggs stated eligible applicants include non-profit agencies, city departments, and public housing authorities. He proceeded to discuss eligible and ineligible CDBG activities and uses, program years 2008 to 2017 funded amounts and programs, parks in the CDBG area, and what other entities were doing with their funds. He stated the City does not utilize the Section 108 program in which, \$1,360,035 would be available to Missouri City, as oppose to the current \$272,007.

Director of Development Services Spriggs proceeded to address City Council's operational guidelines approved by City Council for the Community Development Block Grant (CDBG) program and asked if anyone had questions or concerns. The CDAC confirmed they agreed with City Council's directives. City Manager Snipes stated the City would work with the Communications Department to assist with getting the message out to our community sooner. Discussions ensued regarding various opportunities to notify the public of the CDBG scholarship opportunities.

City Council moved to postpone the closed executive session to another meeting.

3. ADJOURN

The special City Council meeting adjourned at 6:50 p.m.

ATTEST:

Allen Owen, Mayor

Maria Jackson, City Secretary

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CITY COUNCIL SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, August 6, 2018**, at the City Hall, Council Conference Room, 2nd Floor, behind the Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:30 p.m.** to consider the following:

1. CALL TO ORDER

Mayor Owen called the meeting to order at 5:48 p.m.

Those also present: Councilmembers Wyatt, Preston, and Boney; City Manager Snipes, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Assistant City Manager Elmer, Director of Financial Services Atmore, Director of Communications Walker, Budget and Financial Reporting Manager Alexander, HOA Liaison Matte, and Media Relations Specialist III Stottlemyer. Also present: Kurt Luhrsen, Sydney Scardino and Jose Pulido of the Metropolitan Transit Authority (METRO); and, Frank Hester. Absent: Councilmember Emery and Councilmember Maroulis. Mayor Pro Tem Ford arrived at 5:58 p.m.

2. DISCUSSION/POSSIBLE ACTION

(a) Presentation on the METRO Community Connector branding update.

Director of Communications Walker presented on the METRO Community Connector branding set to launch on August 27. Councilmember Wyatt asked if the marketing plan would show the routes beyond Missouri City. Mrs. Scardino stated the brochure would highlight curb-to-curb service as well as the greater metro area transfers. Councilmember Boney requested clarification on the route change as it was now different from the routes presented at the April 16 City Council meeting. Snipes noted one route changed from the April 16 presentation, which no longer includes the Aldi and Houston Methodist Primary Care Group. Mayor Owen stated he would meet with Metro representatives to request complete coverage in the City. Mayor Owen asked Assistant City Manager Elmer to overlay the proposed METRO route within the City's boundaries.

(b) Presentation of the certified Fort Bend County tax rolls.

City Manager Snipes and Director of Financial Services Atmore presented the certified Fort Bend County tax rolls.

(c) Presentation on the Leadership NOW Symposium.

City Manager Snipes presented on the upcoming 2nd Leadership NOW Symposium, in which the City would host in partnership with the Pearland, Sugar Land, Houston, Bellaire, TCMA, the University of Houston, Metro, NFBPA, and Texas Southern University

(d) Discuss and consider nominations to the board of trustees of the Texas Municipal League Intergovernmental Risk Pool.

City Council made no nominations at this time.

At 6:57 p.m., City Council recessed the special City Council meeting to begin the regular City Council meeting.

3. CLOSED EXECUTIVE SESSION

After proper notice given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 8:51 p.m.

Texas Government Code, Section 551.071 – Consultation with attorney to seek or receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act:

- (1) Paul A. Kubosh v. Honorable Robert Richter, Jr., Judge, Municipal Court, Missouri City, Texas (Fort Bend County Cause No. 18-DCV-250081 in the 240th Judicial District Court of Fort Bend County, Texas).
- (2) Geneane Merritt (Texas Workforce Commission).

4. RECONVENE

At 9:05 p.m., Council reconvened into open session. No action was taken.

5. ADJOURN

The special City Council meeting adjourned at 9:06 p.m.

ATTEST:

Allen Owen, Mayor

Maria Jackson, City Secretary

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CITY COUNCIL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Monday, August 6, 2018**, at the City Hall, Council Chamber, 2nd 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 7:07 p.m.

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

2. The PLEDGE OF ALLEGIANCE was led by Assistant City Manager Atkinson.

3. PRESENTATIONS AND RECOGNITIONS

Police Chief Berezin and the Missouri City Police Department received a check from the Tri-City Business Alliance to use towards the Back to School community event.

There were no **PUBLIC COMMENTS**.

5. STAFF REPORTS

City Manager Snipes shared the following updates: the Financial and Services Department received a second Transparency Star and the Metro Community Connector was set to launch on August 27. Snipes asked the community to mark their calendars for the following events: the Annual Back to School Health Fair and Backpack giveaway in partnership with Fort Bend County on August 11; the Leadership Luncheon Series "Doing Business with the City" on August 16; and, the Animal Shelter Open House on August 25. Snipes presented the following highlights from the community: the Texas Beer Garden Grand Opening; Girl Scout Troop 279 who filmed an "Adopt don't Shop" public service announcement as part of their silver award program at the City's animal shelter; Marshall High School invited Staff to participate at the "Party on the Run"; the Employee Recognition Committee hosted Employee Day on August 4; the Police Officers visited the Summer Day Camp; employees from the Fire & Rescue Services Department visited Unique Minds Montessori School; Assistant City Manager Scott Elmer presented at the Fort Bend Chamber on the City's Hurricane Harvey response; and, the Parks and Recreation Department excelled during the "Parks and Recreation Month" with all the activities planned.

(b) Update on the City's partnership with the American Red Cross.

Fire Chief Campbell provided an update on the City's partnership with the American Red Cross.

6. CONSENT AGENDA

- (a) Consider approving the minutes of the special and regular City Council meetings of July 16, 2018.
- (b) Consider accepting the quarterly investment report for period ending on June 30, 2018.

- (c) Consider authorizing the execution of a joint election agreement and contract for election services with Fort Bend County for the November 6, 2018, general election.

Councilmember Wyatt moved to approve the Consent Agenda items 6a and 6c pursuant to recommendations by City Staff. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

Mayor Owen requested item 6b to be discussed. Susan Anderson, Valley View Consultants, discussed the quarterly investment report for the period ending June 30, 2018 and the market outlook. Councilmember Wyatt thanked Mrs. Anderson for presenting to Council.

Councilmember Wyatt moved to approve the Consent Agenda item 6b pursuant to recommendations by City Staff. Councilmember Boney 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 for a Specific Use Permit to allow for the location of a telecommunications tower and associated equipment; providing for an amendment to the Comprehensive Plan; and consider a related ordinance providing a penalty on the first of two readings. The telecommunications site is proposed to be located within the Quail Valley Thunderbird North subdivision, within a neighborhood park, north of the intersection of Turtle Creek Drive and Southern Hills Drive and west of Roane Park.

The public hearing opened at 7:34 p.m. Planning Manager Gomez stated Staff and the Planning and Zoning Commission forward a positive recommendation. W. Bebb Francis, III, attorney for Sky Way Towers, presented. Paul Williams, Radio Frequency Engineer for T-Mobile, presented T-Mobile's wireless service maps. Susan Soto, president of Thunderbird North HOA, discussed communication with area residents. Ms. Soto stated a ballot was distributed to residents and over 70% approved the measure. Soto noted 72 voted out of 500 residents. Mayor Owen asked about the material the tower made of and who would maintain the tower. Francis stated Skyway Towers was committed to maintaining the tower. Scott Behunkiak of Skyway Towers stated the material representing the bark was rubberized and the branch level was woven vinyl.

Councilmember Boney moved to close the public hearing at 7:59 p.m. and adopt the ordinance. Councilmember Wyatt seconded. **MOTION PASSED UNANIMOUSLY.**

- (2) Public hearing to receive comments for or against a request to rezone an approximate 24.45 acre tract of land from LC-3, retail district, to PD Planned Development District to allow for a mixed use commercial and residential development; providing for an amendment to the Comprehensive Plan; and consider a related ordinance providing a penalty on the first of two readings. The subject site is located north of Excel Urgent Care, south of a Murphy Express gas station and Cube Smart self-storage, east of Quail Valley Thunderbird and a Public Storage, and west of Colony Lakes residential subdivision.

The public hearing opened at 8:00 p.m. Planning Manager Gomez presented an overview and stated the request was to rezone an approximate 24.45 acre tract of land from LC-3, retail district to PD, Planned Development District. Gomez stated the proposal was for 42 single-family townhouses with an age restriction of at least 55 years for the condominiums. They also recommended common space (R-4) and the greenbelt (R-5) requirements to be met. The Planning and Zoning Commission also made the following recommendations regarding the development schedule:

Phase 1: Construction of a minimum of _____ square feet of one or more nonresidential buildings shall be completed before or contemporaneously with the submission of an application for a certificate of zoning compliance for any townhouse residential district uses or condominium residential uses. A maximum of ____ residential units may be constructed in Phase 1. Phase 2: The construction of all of Phase I residential units are completed; The developer certifies that the occupancy level for the dwelling units constructed in Phase 1 is ____ percent; and (c) the developer certifies that the ____ percent of the total square footage of commercial development constructed in Phase 1 is occupied.

Mayor Owen asked if underground parking would still take place. Mario Bollulo, STOA Design Architect, stated the parking would be split-level and not completely underground as originally planned. Owen spoke about the detention pond and if they would add improvements, such as a trail. Bollulo stated they would work on improvements and discussed a mixed balance development. Mayor Pro Tem Ford inquired on the reason for age restriction on the condominiums. Bollulo stated the market asked for such developments. Ford requested samples of product located in other places.

Councilmember moved to adopt the ordinance. Councilmember Boney seconded.

Councilmember Boney asked if they would be open for urban revitalization areas. Bollulo stated he has worked on redeveloping areas in the past.

Warren Howard Waugh, 7230 Bethany Bay Drive, President of Colony Lakes HOA, addressed the potential noise from surrounding restaurants and other gatherings from the new development.

Councilmember Wyatt stated staff would need to look at the performance standards during second reading. City Attorney Iyamu addressed how an excessive noise case would be prosecuted in court. She spoke about the reasonable person standard and noted it would be up to the prosecution to prove what would be unnecessary. Mayor Pro Tem Ford recommended it be addressed prior to the development. Bollulo stated the restricted time and restricted decibels were already in place.

Councilmember Wyatt moved to close the public hearing at 8:37 p.m. and approve the ordinance with the performance standards noted in the second reading of the ordinance. Councilmember Boney seconded.
MOTION PASSED UNANIMOUSLY.

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

9. AUTHORIZATIONS

- (a) Consider authorizing the acceptance of a gift deed from Taylor Morrison of Texas, Inc. conveying a 10-acre tract of land on Hagerson Road.

Director of Parks and Recreation Mangum presented. Councilmember Wyatt clarified the land was not in City the limits, which means the funds could only be used for maintenance and not the development of the park until it was within the City's limits. Mayor Pro Tem Ford asked if they planned to develop the land. Mangum stated there was currently no such plans.

Mayor Pro Tem Ford moved to authorize the acceptance of a gift deed from Taylor Morrison of Texas, Inc. conveying a 10-acre tract of land on Hagerson Road. Councilmember Wyatt seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider authorizing the execution of an interlocal agreement for wastewater capacity between Quail Valley Utility District and the City of Missouri City.

Councilmember Wyatt moved to authorize the execution of an interlocal agreement for wastewater capacity between Quail Valley Utility District and the City of Missouri City. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (c) Consider authorizing the mayor to sign the official plat of Lake Shore Harbour Section 8, which contains an approximate 4.155-acre tract of land owned by the City of Missouri City.

Councilmember Wyatt moved to authorize the mayor to sign the official plat of Lake Shore Harbour Section 8, which contains an approximate 4.155-acre tract of land owned by the City of Missouri City. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (d) Consider authorizing the acceptance of utility deeds from Fort Bend County Municipal Utility District No. 48 for infrastructure serving Parks Edge and Dry Creek Village.

Councilmember Boney moved to authorize the acceptance of utility deeds from Fort Bend County Municipal Utility District No. 48 for infrastructure serving Parks Edge and Dry Creek Village. Councilmember Wyatt seconded. **MOTION PASSED UNANIMOUSLY.**

- (e) Consider authorizing the execution of a maintenance agreement between Fort Bend Council Municipal Utility District No. 26 and the City of Missouri City for regional drainage and detention facilities for the Mustang Trails Development.

Mayor Owen confirmed the execution of the maintenance agreement was with Fort Bend County Municipal Utility District No. 26, as provided to the public in the agenda packet. City Manager Snipes noted \$40 million of debt would have to be issued.

Councilmember Boney moved to authorize the execution of a maintenance agreement between Fort Bend County Municipal Utility District No. 26 and the City of Missouri City for regional drainage and detention facilities for the Mustang Trails Development. Councilmember Wyatt seconded. **MOTION PASSED UNANIMOUSLY.**

- (f) Consider authorizing a licensing agreement between Fort Bend Council Municipal Utility District No. 26 and the City of Missouri City for the construction of regional drainage and detention facilities.

Mayor Owen confirmed the execution of the licensing agreement was with Pulte Homes of Texas, L.P., as provided to the public in the agenda packet.

Councilmember Wyatt moved to authorize a licensing agreement with Pulte Homes of Texas, L.P., and the City of Missouri City for the construction of regional drainage and detention facilities. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (g) Consider authorizing an agreement with the City of Rosenberg for cooperative purchasing.

Councilmember Wyatt moved to authorize an agreement with the City of Rosenberg for cooperative purchasing. Councilmember Preston seconded. **MOTION PASSED UNANIMOUSLY.**

10. ORDINANCES

- (a) Consider an ordinance providing for a general election to be held on November 6, 2018, for the purpose of electing a mayor and two at-large councilmembers; providing for joint elections on November 6, 2018, with other entities contracting with Fort Bend County and Harris County, respectively, for such joint elections; providing for election precincts and polling places; containing other provisions relating to the subject; and consider the ordinance on the first and final reading.

Mayor Pro Tem Ford noted Harris County voting sites were not been included in the packet as Harris County has not released them.

Councilmember Preston moved to adopt the ordinance. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

There were no **RESOLUTIONS** or **CITY COUNCIL ANNOUNCEMENTS.**

13. ADJOURN

The regular City Council meeting adjourned at 8:47 p.m.

ATTEST:

Allen Owen, Mayor

Maria Jackson, City Secretary



CITY COUNCIL AGENDA ITEM COVER MEMO

August 20, 2018

To: Mayor and City Council
Agenda Item: 6(b) Skyway Towers - SUP, Specific Use Permit
Submitted by: Jennifer Thomas Gomez, AICP, Planning Manager

SYNOPSIS

This is the second and final reading of an ordinance for a Specific Use Permit to allow for the location of a telecommunications tower and associated equipment, 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.

The telecommunications site is proposed to be located within the Thunderbird North subdivision, within a neighborhood park, north of the intersection of Turtle Creek Drive and Southern Hills Drive and west of Roane Park.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Have quality development through buildout

BACKGROUND

T-Mobile working with Skyway Towers proposes to locate a 120-foot tall monopole, telecommunications tower with associated equipment within a neighborhood park maintained by the Thunderbird North homeowner's association. The proposed telecommunications tower site would include an equipment platform at the base of the tower. An 8-foot tall fence would enclose the site. The tower would be clad to resemble the bark of a tree with branches containing leaves used to disguise the antenna.

Skyway Towers has indicated that there are no towers of "roughly equal or greater height" than the one proposed within T-Mobile's stated search area. Based upon a recent application T-Mobile owns three other site locations within the city; two newly constructed site one the property of Congregation Beth El on Raoul Wallenberg Lane and second on the Elkins High School campus on Knights Court. The third location is at Baines Middle School on Sienna Ranch Road. T-Mobile had been the owner of up to seven tower sites at one time in the city, most of which were located on the northern side of the City.

Telecommunication towers and antenna locations must be constructed in compliance with the Federal Communications Commission (FCC) rules, which includes an environmental review.

Staff recommended approval and the Planning and Zoning Commission forwards a positive recommendation.

SUPPORTING MATERIALS

1. Ordinance
2. Site plan & tower elevations

3. Photo simulation
4. Propagation maps
5. Ortho map
6. Notice of public hearing to adjoining property owners
7. Rezoning application protest letters analysis
8. Letters of protest
9. Letter of support

STAFF'S RECOMMENDATION

Staff recommends approval of the ordinance on the final reading.

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

**Assistant City Manager/
City Manager Approval:** Scott Elmer, P.E., Assistant City Manager

ORDINANCE NO. O-18-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, GRANTING A SPECIFIC USE PERMIT AUTHORIZING THE USE OF A 0.06 OF AN ACRE TRACT OF LAND IN THE CITY OF MISSOURI CITY AS A SPECIFIC USE-TOWERS; DESCRIBING SAID 0.06 OF AN ACRE TRACT OF LAND; PROVIDING LIMITATIONS, RESTRICTIONS, AND CONDITIONS ON SUCH SPECIFIC USE; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MISSOURI CITY; PROVIDING FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, Thunderbird North Community Association is the owner of 0.06 of an acre of land within the corporate limits of the City of Missouri City, Texas (the "Property"); and

WHEREAS, said Property presently has a designation of CF, community facilities district under Ordinance No. O-81-1, adopted by the City Council of the City of Missouri City on January 19, 1981; and

WHEREAS, the owner's agent, Justin Jones of Skyway Towers, LLC, has made application to the City of Missouri City for a specific use permit authorizing the use of the Property as Specific Use-Towers; 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 specific use permit; and

WHEREAS, the 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 specific use permit; 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 to grant a Specific Use Permit-Towers and closed the public hearing prior to the final adoption of this Ordinance.

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

Section 4. The specific use of the Property authorized and permitted by this Ordinance is Towers.

Section 5. The specific use authorized and permitted by this Ordinance shall be developed in accordance with the Missouri City Code and the City of Missouri City Zoning Ordinance, specifically all regulations that apply to CF community facilities districts and is subject to the following limitations, restrictions, and conditions:

I. Use Permitted. The following specific use shall be permitted:

A monopole tower and an equipment platform to be located at the base of the tower.

II. Standards and Regulations.

A. Tower standards and regulations. Except as set forth herein, the tower, tower site, and tower appurtenances shall comply with the standards set forth in Section 15B.4, General requirements and regulations for towers and antennae, of the City of Missouri City Zoning Ordinance.

1. Antennae may be mounted on the exterior of the tower.
2. The tower shall be constructed to resemble the bark of a tree with artificial branches containing artificial leaves used to disguise the antennae. The artificial bark cladding shall not extend more than sixty (60) feet high, from the base of the tower to the bottom of the lowest artificial branch.
3. Any portion of the tower that is not constructed to resemble a tree or a part of a tree shall be painted a single color. Such color shall match the primary color of the artificial bark.
4. The Property, including the tower, artificial bark cladding, artificial branches, and the painting of the tower, shall be maintained by Skyway Towers, LLC, and its heirs, successors and assigns.

B. Height and area regulations. Except as set forth herein, the height and area regulations contained in Section 7.15, CF community facilities district, of the City of Missouri City Zoning Ordinance, shall apply.

1. The tower and equipment attached to the tower shall not exceed a combined height of one hundred twenty (120) feet.

C. Sign regulations. Except as set forth herein, the requirements of Section 13, Sign Regulations, of the City of Missouri City Zoning Ordinance, for nonresidential zoning districts shall apply.

1. Signage for the Property shall be limited to only signage that is required by the FCC or another governmental agency and a sign noting the site name, number and contact information for the responsible entity.

D. Fence regulations. Except as set forth herein, the requirements of Section 14.3.D, Design and construction standards for community fencing, of the City of Missouri City Zoning Ordinance, shall apply.

1. The Property shall be enclosed by a fence not less than eight (8) feet in height.
2. Said fence shall consist of wood or masonry fencing.
3. All equipment appurtenant to the tower shall be screened from view by said fencing.

E. Development Schedule. This Ordinance shall expire on the fifth anniversary of the date the specific use permit application was filed, provided no progress has been made toward the completion of this project.

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

Section 7. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Missouri City, Texas, save and except the change in the specific use of the Property as granted in this Ordinance authorizing the Specific Use-Towers and the imposition of the limitations, restrictions, and conditions contained herein.

Section 8. *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 9. *Repeal.* Any ordinance or any part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

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

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

PASSED and APPROVED on first reading this 6th day of August, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this 20th day of August, 2018.

Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



Abboud Engineering, LLC
10007 Plantation Mill Pl
Missouri City, Texas 77459-6516
Tel. 713-562-6100
Fax 210-899-0087

Texas Firm Registration No. F-15913

**SKYWAY'S LEASED PREMISES
0.06 ACRES (2,500 SQUARE FEET)
OUT OF RESERVE "C", THUNDERBIRD NORTH
DAVID BRIGHT LEAGUE, ABSTRACT 15
FORT BEND COUNTY, TEXAS**

Being 0.06 acres (2,500 feet) of land, out of Reserve "C", Thunderbird North, recorded under Volume 14, Page 16 Map Records of Fort Bend County, Texas (M.R. F.B.C.T.), conveyed to Thunderbird North Community Association, Inc., by deed recorded under Volume 684, Page 104 Official Public Records of Fort Bend County, Texas (O.P.R. F.B.C.T.), said 0.06 acre tract lying in the David Bright League, Abstract 15 and being more particularly described by metes and bounds as follows:

COMMENCING at a found 5/8 inch iron rod at the intersection of Cherry Hills Drive and Turtle Creek Drive, 60' Public right-of-way (R.O.W.), marking the east corner of said Reserve "C";

THENCE South 59°53'57" West, along the north R.O.W. of said Turtle Creek, a distance of 310.44 feet to a point of in said north R.O.W.;

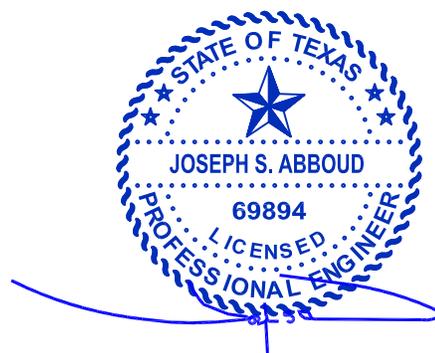
THENCE North 30°06'03" West, a distance of 25.00 feet to a set 5/8 inch iron rod with cap, marking the east corner of a Skyway's Leased Premises, also being the **POINT OF BEGINNING**;

THENCE South 59°53'57" West, a distance of 50.00 feet to a set 5/8 inch iron rod with cap, marking the south corner of the herein described tract;

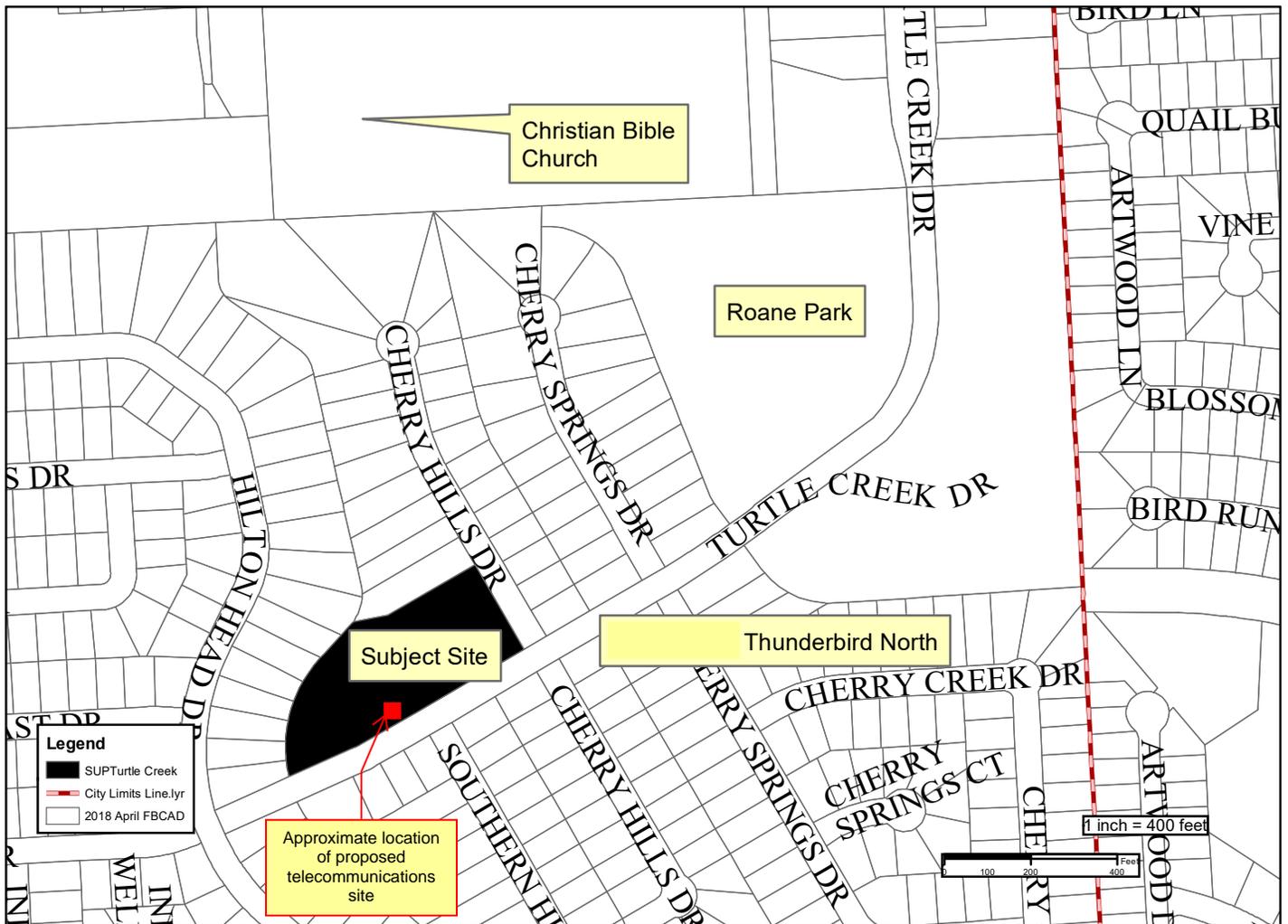
THENCE North 30°06'03" West, a distance of 50.00 feet to a set 5/8 inch iron rod with cap, marking the west corner of the herein described tract;

THENCE North 59°53'57" East, a distance of 50.00 feet to a set 5/8 inch iron rod with cap, marking the north corner of the herein described tract;

THENCE South 30°06'03" East, a distance of 50.00 feet to the **POINT OF BEGINNING** and containing a computed 0.06 acres (2,500 square feet) of land.



06/18/2018



TOWER BASE:

LATITUDE: N29°-34'-30.60" (NAD 83)
 LONGITUDE: W95°-31'-30.73" (NAD 83)
 TOWER HEIGHT: 120' (AGL)

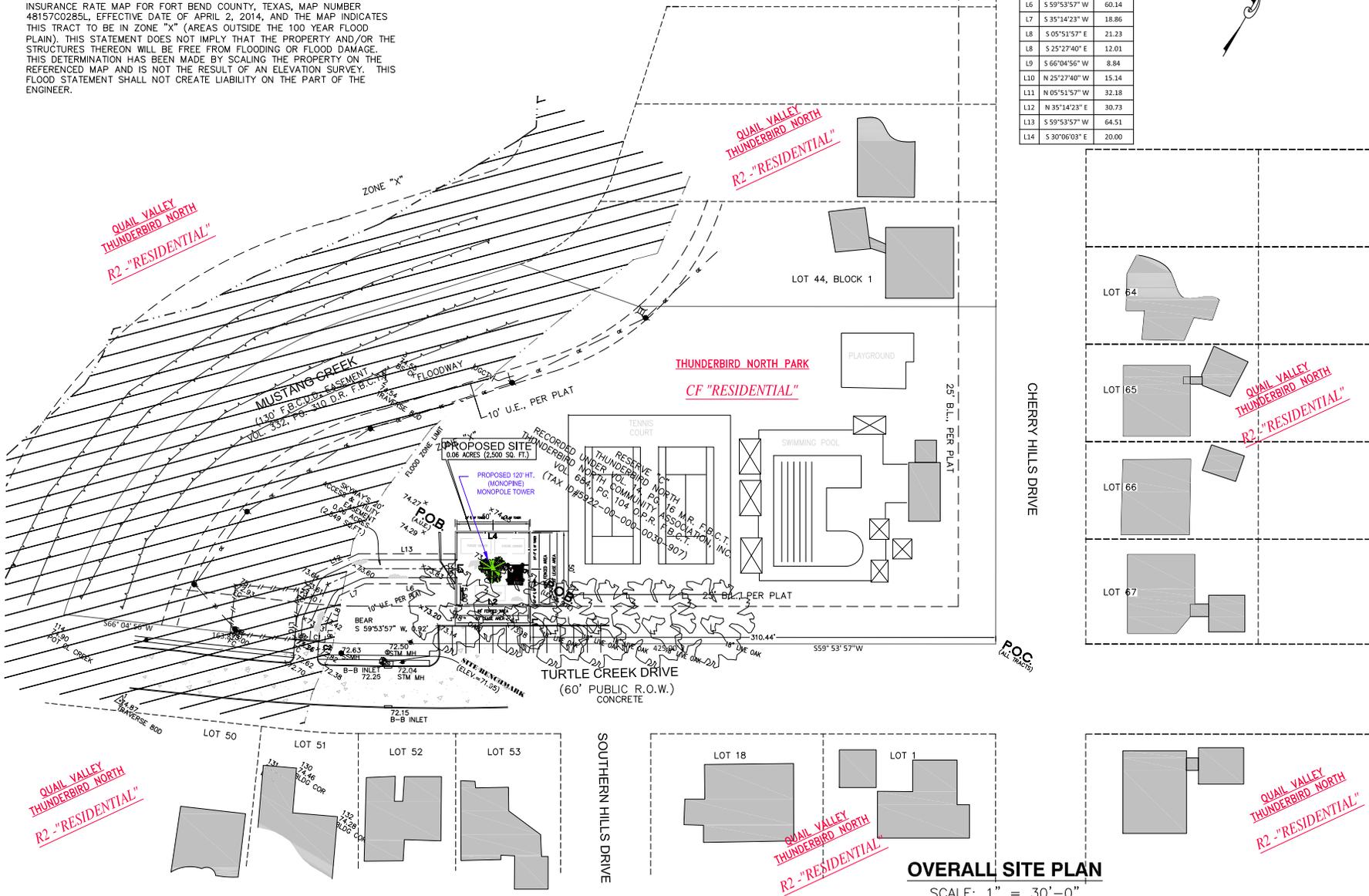
GROUND ELEVATION: 74.0' (AMSL - NAVD88) - 0' (AGL)

FLOOD INFORMATION:

I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR FORT BEND COUNTY, TEXAS, MAP NUMBER 48157C0285L, EFFECTIVE DATE OF APRIL 2, 2014, AND THE MAP INDICATES THIS TRACT TO BE IN ZONE "X" (AREAS OUTSIDE THE 100 YEAR FLOOD PLAIN). THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS DETERMINATION HAS BEEN MADE BY SCALING THE PROPERTY ON THE REFERENCED MAP AND IS NOT THE RESULT OF AN ELEVATION SURVEY. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE ENGINEER.

CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	CHD. BRG.	CHORD
C1	11.16	314.81	2°01'53"	N 64°59'43"E	11.16
C2	33.58	314.81	6°06'42"	S 62°57'18"W	33.56

LINE TABLE		
NO.	BEARING	LENGTH
L1	N 30°06'03" W	25.00
L2	S 59°53'57" W	50.00
L3	N 30°06'03" W	50.00
L4	N 59°53'57" E	50.00
L5	N 30°06'03" W	50.00
L6	S 59°53'57" W	60.14
L7	S 35°14'23" W	18.86
L8	S 05°51'57" E	21.23
L9	S 25°27'40" E	12.01
L10	S 66°04'56" W	8.84
L11	N 25°27'40" W	15.14
L12	N 05°51'57" W	32.18
L13	N 35°14'23" E	30.73
L14	S 59°53'57" W	64.51
L15	S 30°06'03" E	20.00



Abbod Engineering LLC
 10007 Plantation Mill Pl
 Missouri City, TX 77459
 Tel: 713-562-6100
 Fax: 210-899-0087

TX FIRM REGISTRATION NO. F-15913

Disclaimer:
 These Drawings and Specifications are copyrighted. They are and shall remain the property of Abbod Engineering, LLC. They are not to be used on other projects or alterations to this project except by agreement in writing and with appropriate compensation to Abbod Engineering. Contractor is responsible for controlling and interpreting dimensions of job site. Abbod Engineering will not be responsible for construction means, methods, techniques or procedures, or for safety precautions and programs in connection with the project.



REV/DATE	DESCRIPTION
Δ 06-13-18	FOR PERMIT & CONSTRUCTION
Δ	
Δ	

TURTLE CREEK TX-09606
1602 TURTLE CREEK DRIVE
MISSOURI CITY, TX 77459



SITE OWNER:
SKYWAY TOWERS, LLC

OWNER'S ADDRESS:
 3637 MADACA LANE
 TAMPA, FL 33618

SHEET NUMBER:
Z.1

SHEET TITLE:
OVERALL SITE PLAN

DRAWN BY: JSA **CHECK BY:** JSA

OVERALL SITE PLAN
 SCALE: 1" = 30'-0"



Aboud Engineering LLC
 10007 Plantation Mill Pl
 Missouri City, TX 77459
 Tel: 713-662-9100
 Fax: 210-699-0087

TX FIRM REGISTRATION NO. F-15913

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SKYWAY TOWERS
 Skyway Towers, LLC
 3637 Madaca Lane
 Tampa, FL 33618
 TEL: (813) 960-6200

REV/DATE	DESCRIPTION
06-13-18	FOR PERMIT & CONSTRUCTION

TURTLE CREEK
TX-09606
1602 TURTLE CREEK DRIVE
MISSOURI CITY, TX 77459



06/15/2018

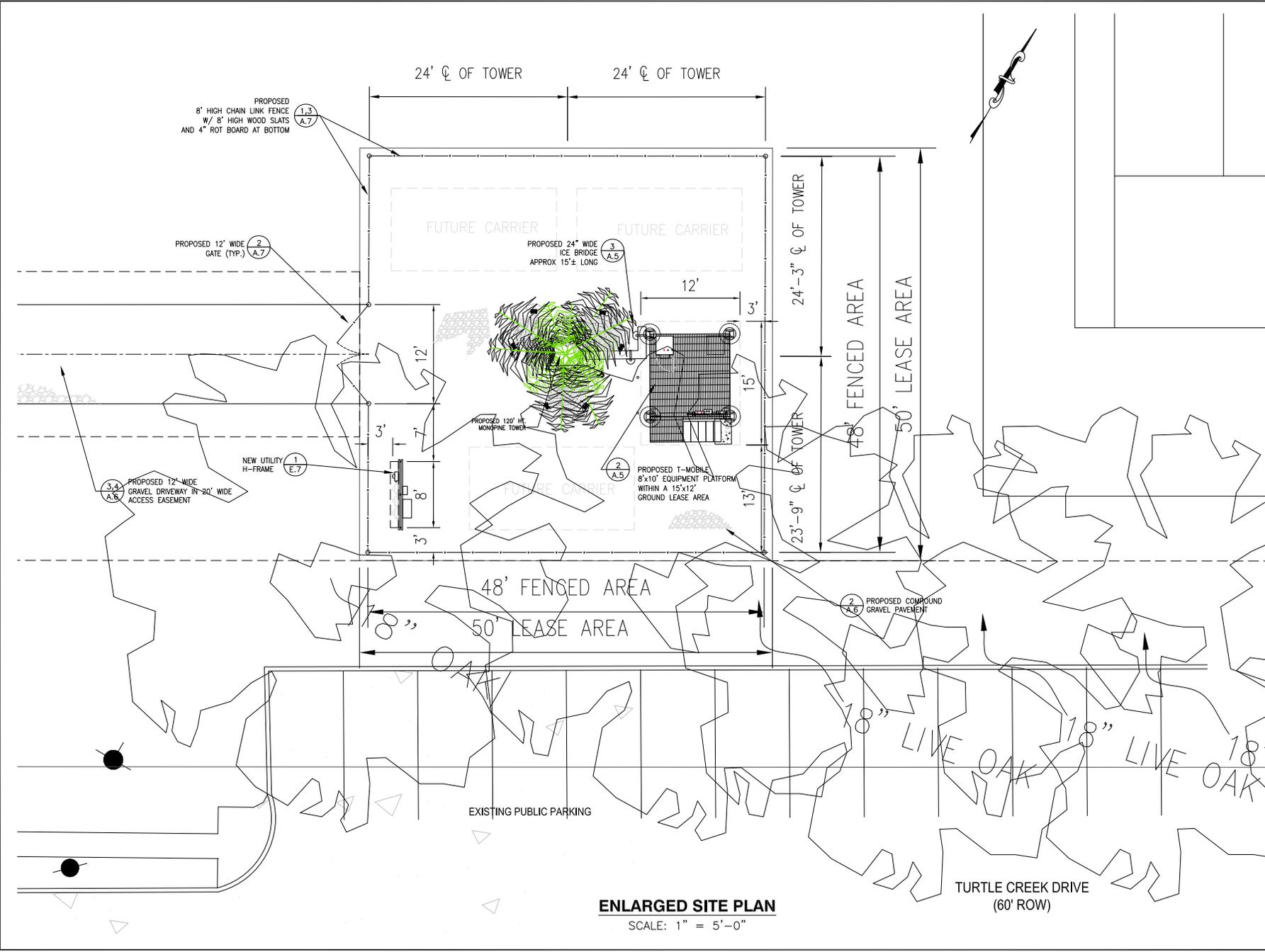
SITE OWNER:
SKYWAY TOWERS, LLC

OWNER'S ADDRESS:
 3637 MADACA LANE
 TAMPA, FL 33618

SHEET NUMBER:
Z.2

SHEET TITLE:
ENLARGED SITE PLAN

DRAWN BY: JSA CHECK BY: JSA



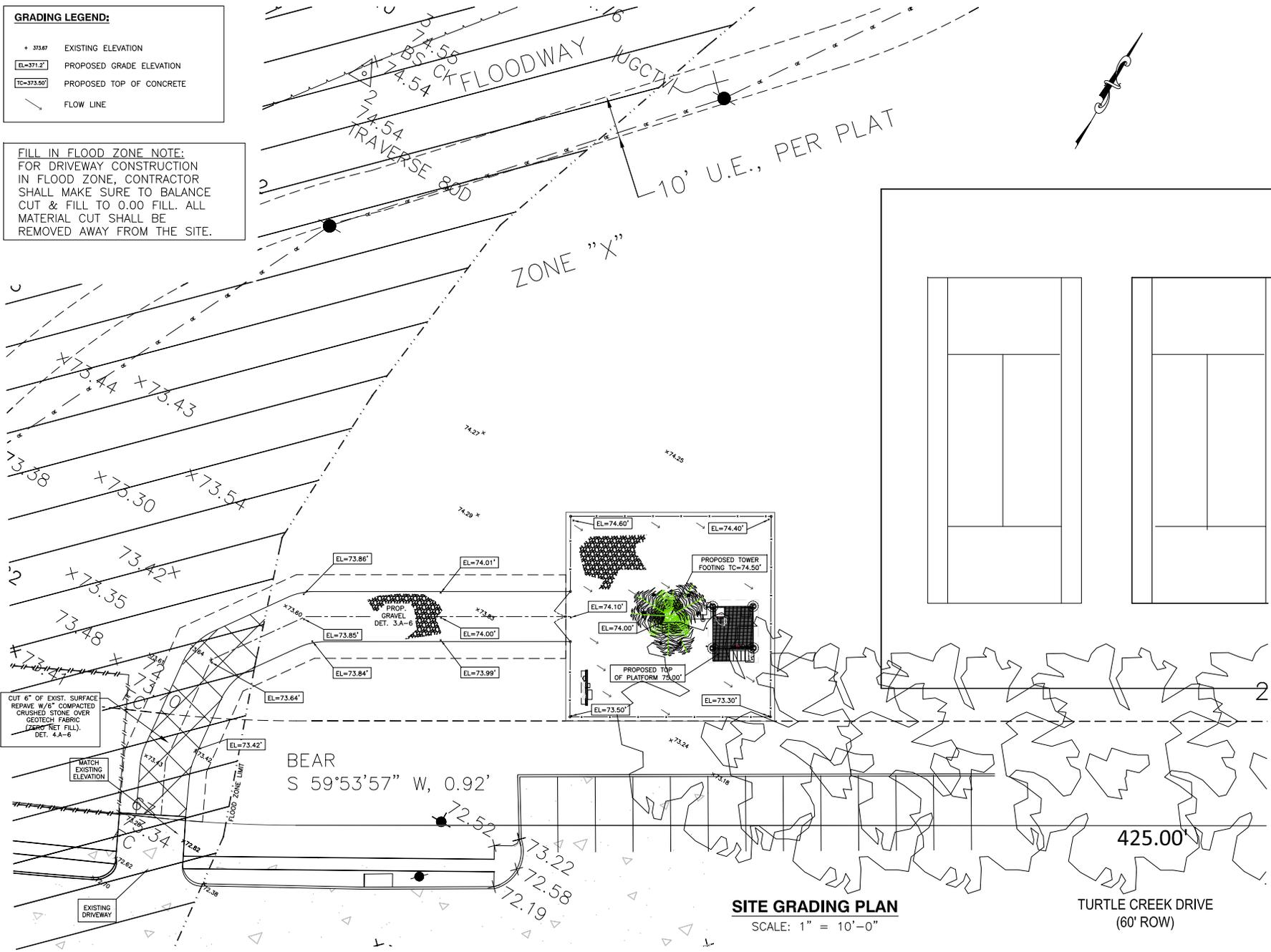
ENLARGED SITE PLAN
 SCALE: 1" = 5'-0"

TURTLE CREEK DRIVE
 (60' ROW)

GRADING LEGEND:

- + 375.87 EXISTING ELEVATION
- EL=371.27 PROPOSED GRADE ELEVATION
- TC=373.50 PROPOSED TOP OF CONCRETE
- FLOW LINE

FILL IN FLOOD ZONE NOTE:
 FOR DRIVEWAY CONSTRUCTION
 IN FLOOD ZONE, CONTRACTOR
 SHALL MAKE SURE TO BALANCE
 CUT & FILL TO 0.00 FILL. ALL
 MATERIAL CUT SHALL BE
 REMOVED AWAY FROM THE SITE.



SITE GRADING PLAN
 SCALE: 1" = 10'-0"

TURTLE CREEK DRIVE
 (60' ROW)



Abbound Engineering LLC
 10007 Plantation Mill PL
 Missouri City, TX 77459
 Tel: 713-562-6100
 Fax: 210-899-0087

TX FIRM REGISTRATION NO. F-15913

Disclaimer:
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 they are and shall remain the property of Abbound
 Engineering, LLC. They are not to be used on other
 projects or alterations to this project except by
 agreement in writing and with appropriate
 compensation to Abbound Engineering. Contractor is
 responsible for controlling and securing
 dimensions of job site. Abbound Engineering will not
 be responsible for construction means, methods,
 techniques or procedures, or for safety precautions
 and programs in connection with the project.



SKYWAY TOWERS
 Skyway Towers, LLC
 3637 Madaca Lane
 Tampa, FL 33618
 TEL: (813) 960-6200

REV/DATE	DESCRIPTION
Δ 06-13-18	FOR PERMIT & CONSTRUCTION
Δ	
Δ	

TURTLE CREEK
TX-09606
1602 TURTLE CREEK DRIVE
MISSOURI CITY, TX 77459



06/15/2018

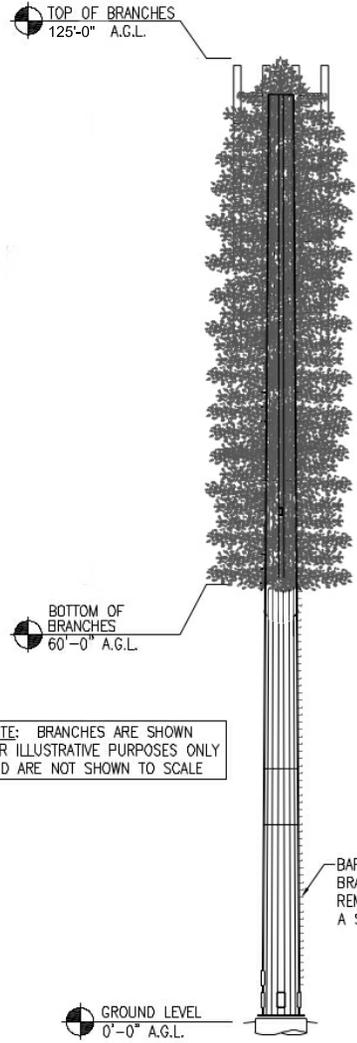
SITE OWNER:
SKYWAY TOWERS, LLC

OWNER'S ADDRESS:
 3637 MADACA LANE
 TAMPA, FL 33618

SHEET NUMBER:
Z.3

SHEET TITLE:
GRADING PLAN

DRAWN BY: JSA CHECK BY: JSA

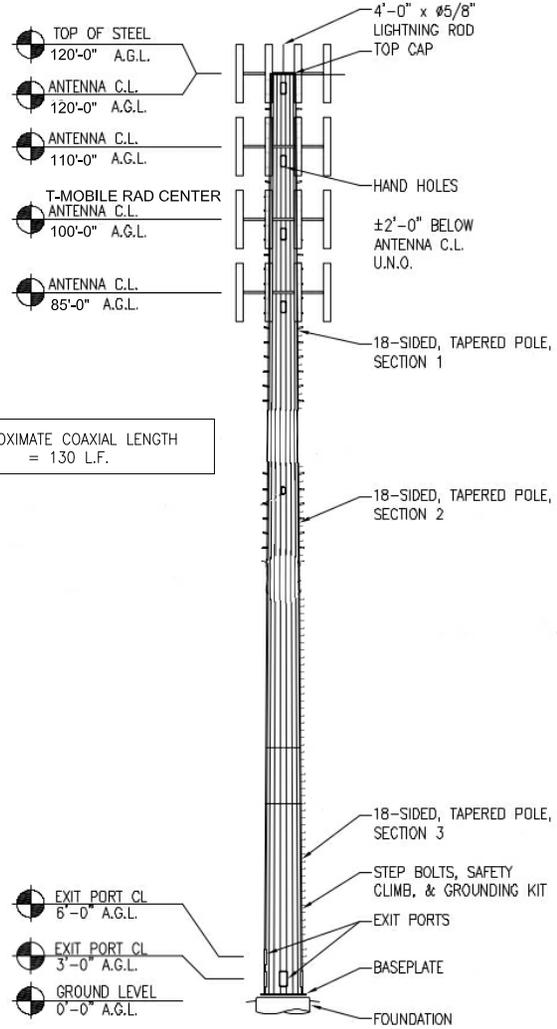


NOTE:
THESE DRAWINGS HAVE BEEN COMPLETED TO DEPICT THE OVERALL HEIGHT AND SHOULD NOT BE USED FOR CONSTRUCTION. THE TOWER DESIGN HAS BEEN PERFORMED BY OTHERS VERIFY TOWER TYPE AND HEIGHT PRIOR TO ORDERING

TOWER, ANTENNAS AND ANTENNA MOUNTS ARE DESIGNED TO WITHSTAND 115 MPH @3 SEC. GUST FACTOR FOR FORT BEND COUNTY, TX PER 2009 IBC AND EIA/TIA-222-G

NOTE: BRANCHES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND ARE NOT SHOWN TO SCALE

BARK CLADDING TO BRANCH START HEIGHT REMAINDER TO BE PAINTED A SINGLE COLOR



APPROXIMATE COAXIAL LENGTH = 130 L.F.

TOWER ELEVATION
SCALE: N.T.S.



Abboud Engineering LLC
10007 Plantation Mill Pl
Missouri City, TX 77459
Tel: 713-562-6100
Fax: 210-899-0087

TX FIRM REGISTRATION NO. F-15913

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REV/DATE	DESCRIPTION
△, 06-13-18	FOR PERMIT & CONSTRUCTION
△	
△	

PROJECT NAME:
TURTLE CREEK TX-09606
1602 TURTLE CREEK DRIVE
MISSOURI CITY, TX 77459



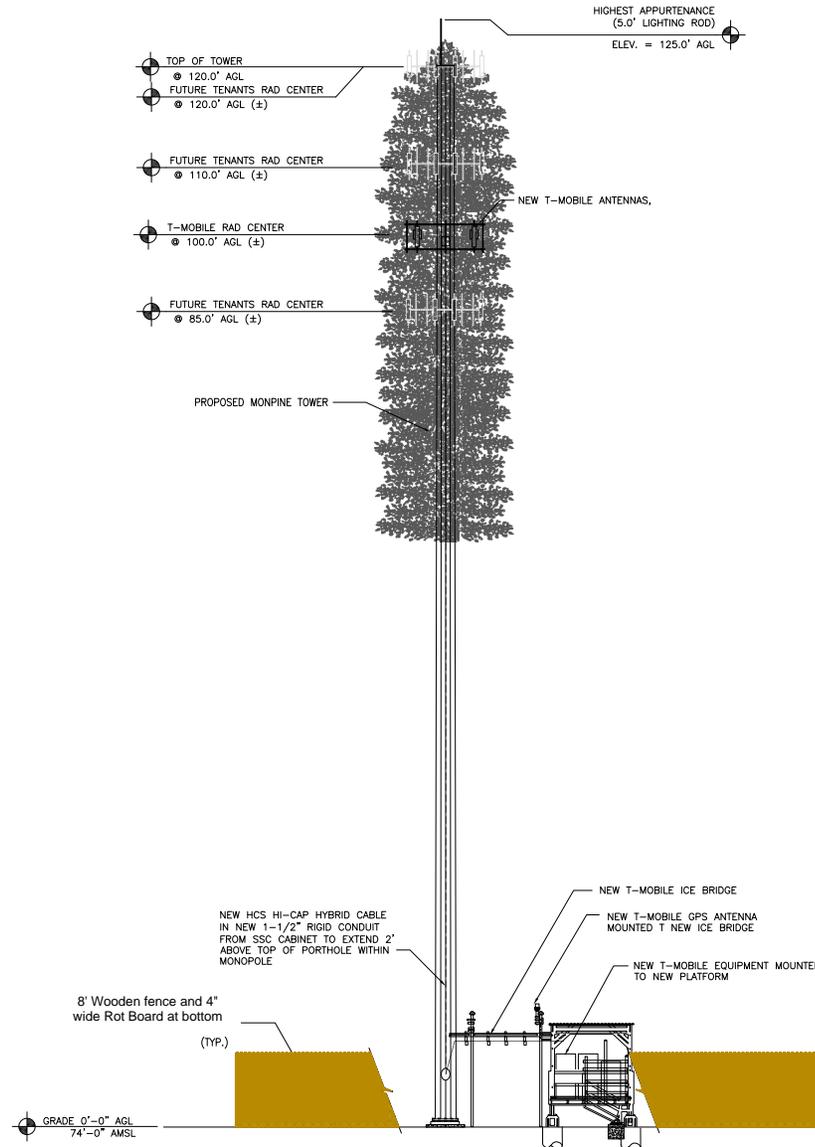
SITE OWNER:
SKYWAY TOWERS, LLC

OWNER'S ADDRESS:
3637 MADACA LANE
TAMPA, FL 33618

SHEET NUMBER:
Z.4

SHEET TITLE:
TOWER ELEVATION

DRAWN BY: JSA CHECK BY: JSA



SITE ELEVATION

SCALE: N.T.S.



Abdou Engineering LLC
 10007 Plantation Mill Pl
 Missouri City, TX 77459
 Tel: 713-562-6100
 Fax: 210-899-0087

TX FIRM REGISTRATION NO. F-15913

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SKYWAY TOWERS

Skyway Towers, LLC
 3637 Madaca Lane
 Tampa, FL 33618
 TEL : (813) 960-9200

REV/DATE	DESCRIPTION
△ 06-15-18	FOR PERMIT & CONSTRUCTION
△	
△	

PROJECT NAME:
TURTLE CREEK
TX-09606
1602 TURTLE CREEK DRIVE
MISSOURI CITY, TX 77459



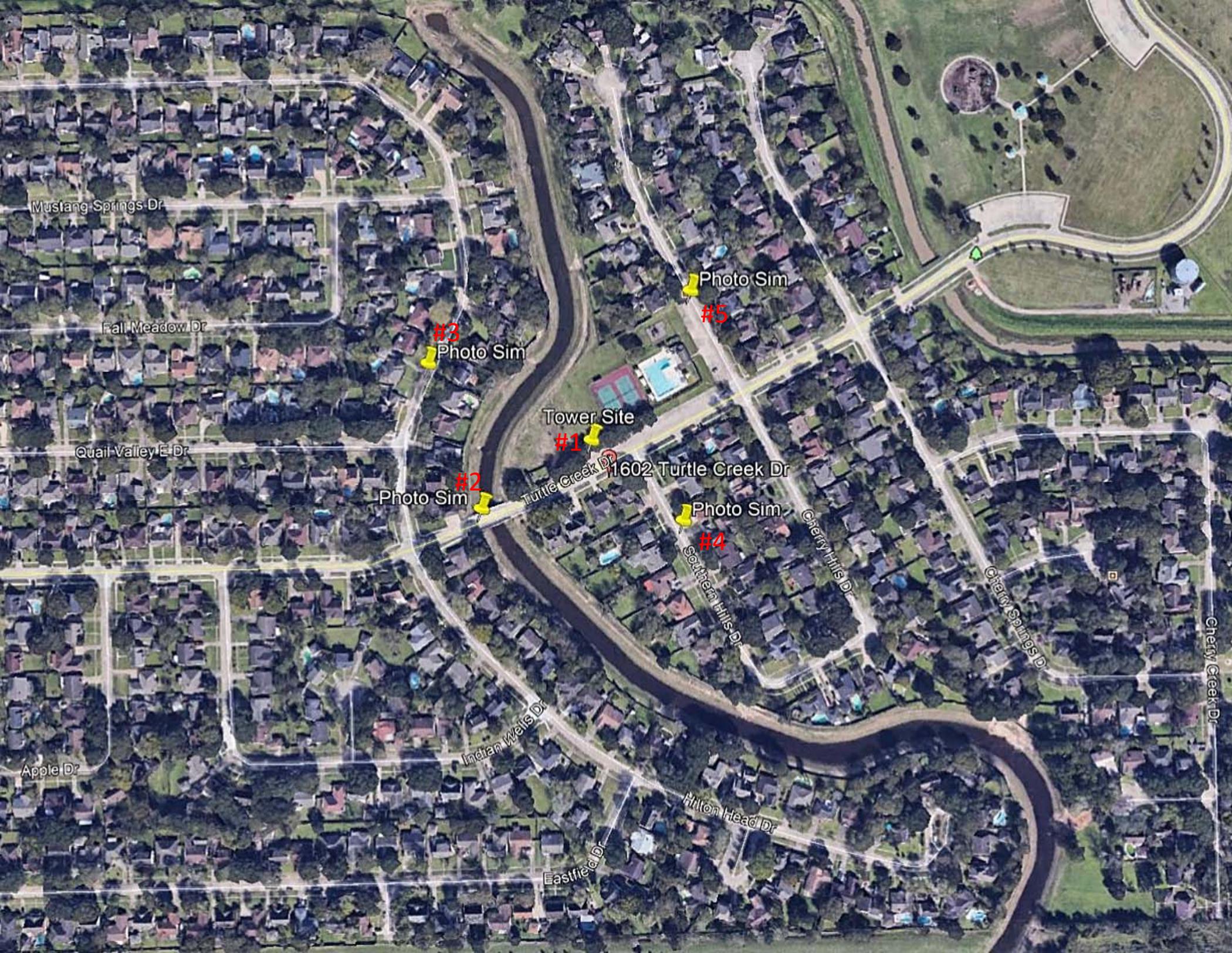
SITE OWNER:
SKYWAY TOWERS, LLC

OWNER'S ADDRESS:
 3637 MADACA LANE
 TAMPA, FL 33618

SHEET NUMBER:
Z.5

SHEET TITLE:
SITE ELEVATION

DRAWN BY: JSA CHECK BY: JSA



Mustang Springs Dr

Fall Meadow Dr

Quail Valley E Dr

Apple Dr

Indian Wells Dr

Eastfield Dr

Hilton Head Dr

Tower Site

Turtle Creek Dr

1602 Turtle Creek Dr

Southern Hills Dr

Cherry Hills Dr

Cherry Springs Dr

Cherry Creek Dr

#3
Photo Sim

#2
Photo Sim

#1

Photo Sim
#5

Photo Sim
#4

#1



#2



#3



#4



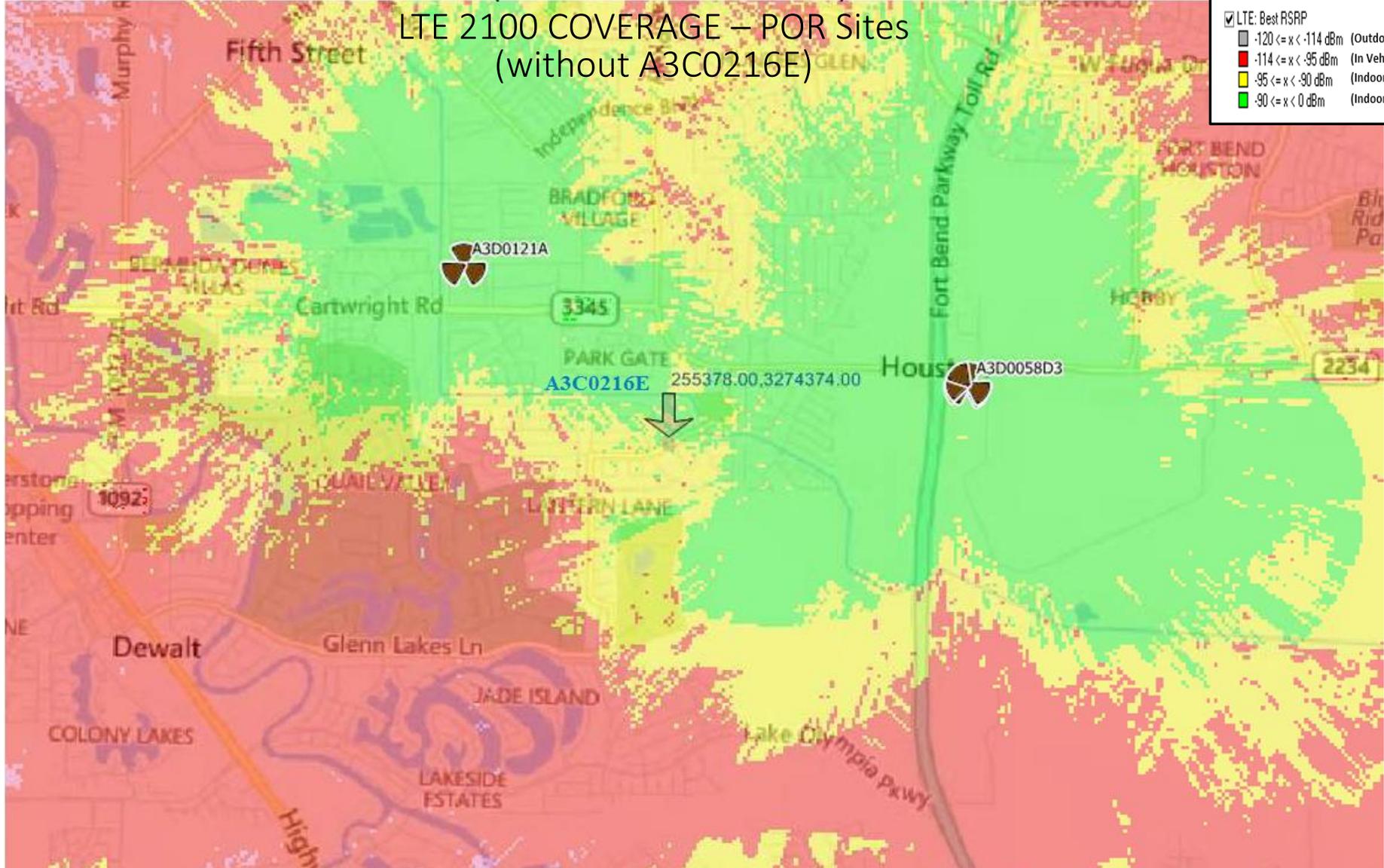
#5



LTE 2100 COVERAGE – POR Sites (without A3C0216E)

LTE: Best RSRP

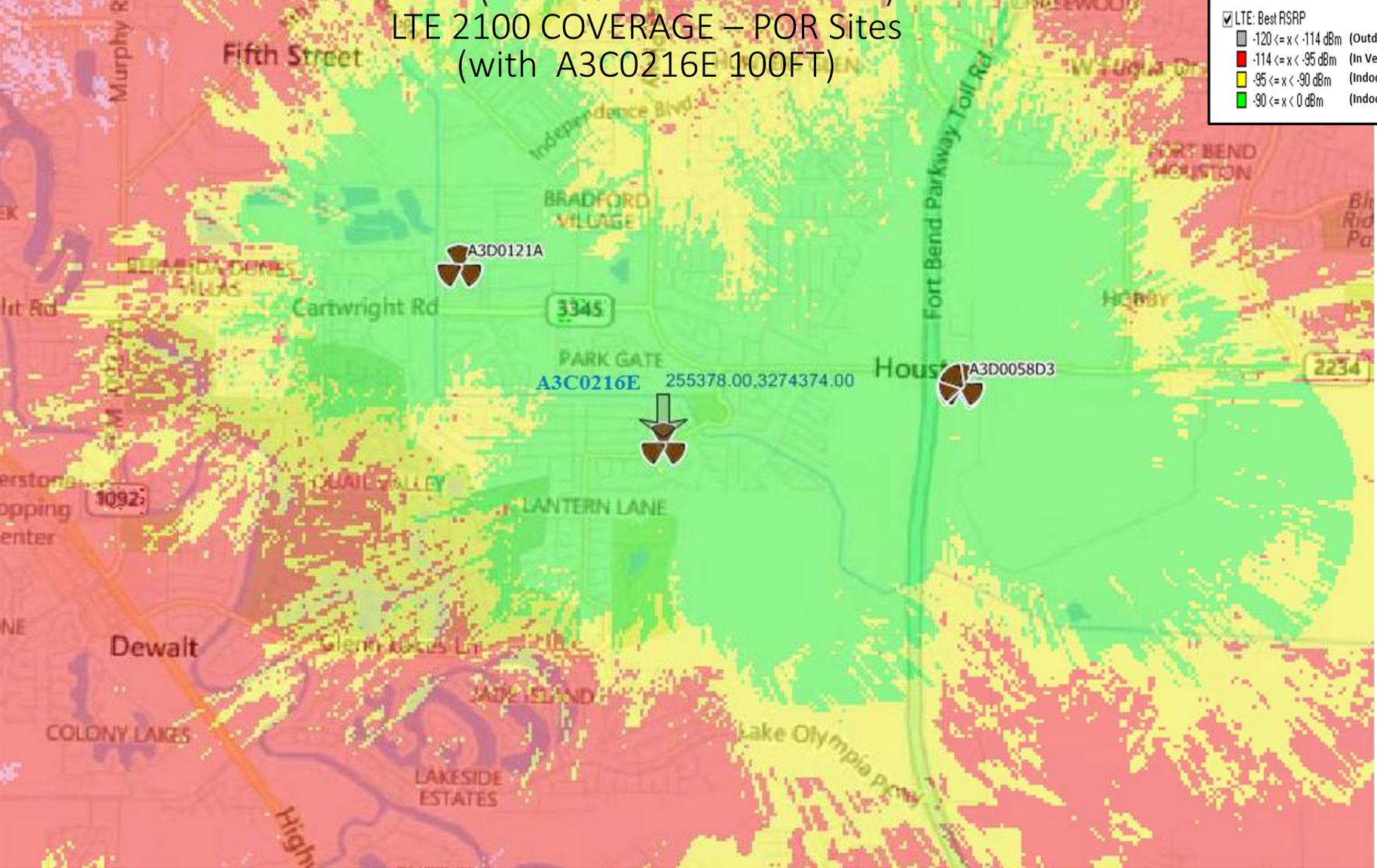
Grey	-120 <= x < -114 dBm	(Outdoor Only)
Red	-114 <= x < -95 dBm	(In Vehicle)
Yellow	-95 <= x < -90 dBm	(Indoor Residential)
Green	-90 <= x < 0 dBm	(Indoor Urban)



LTE 2100 COVERAGE – POR Sites (with A3C0216E 100FT)

LTE: Best RSRP

- 120 <= x < -114 dBm (Outdoor Only)
- 114 <= x < -95 dBm (In Vehicle)
- 95 <= x < -90 dBm (Indoor Residential)
- 90 <= x < 0 dBm (Indoor Urban)

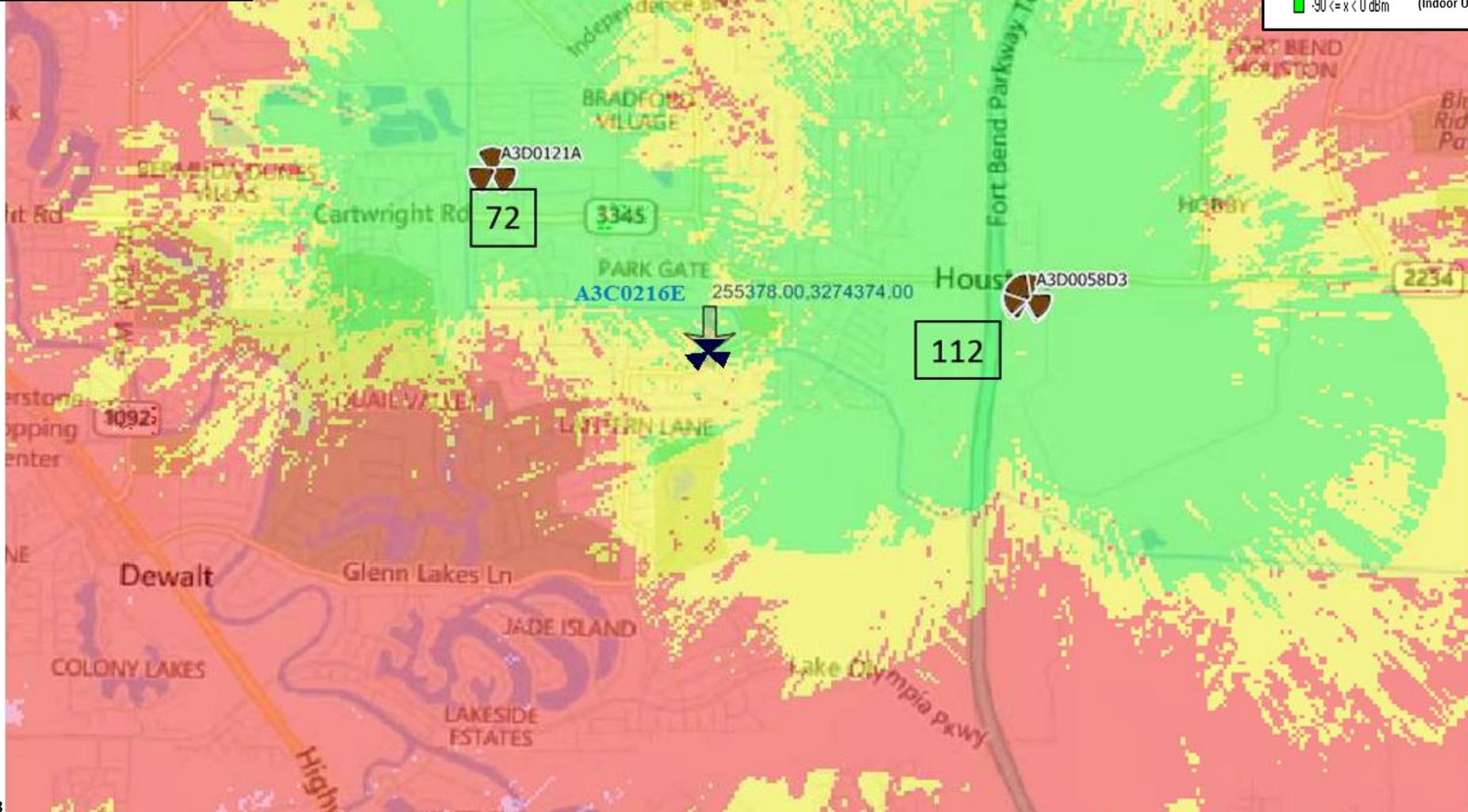


911 Call Volume Listed In Black
• 03/07/2018 to 04/05/2018

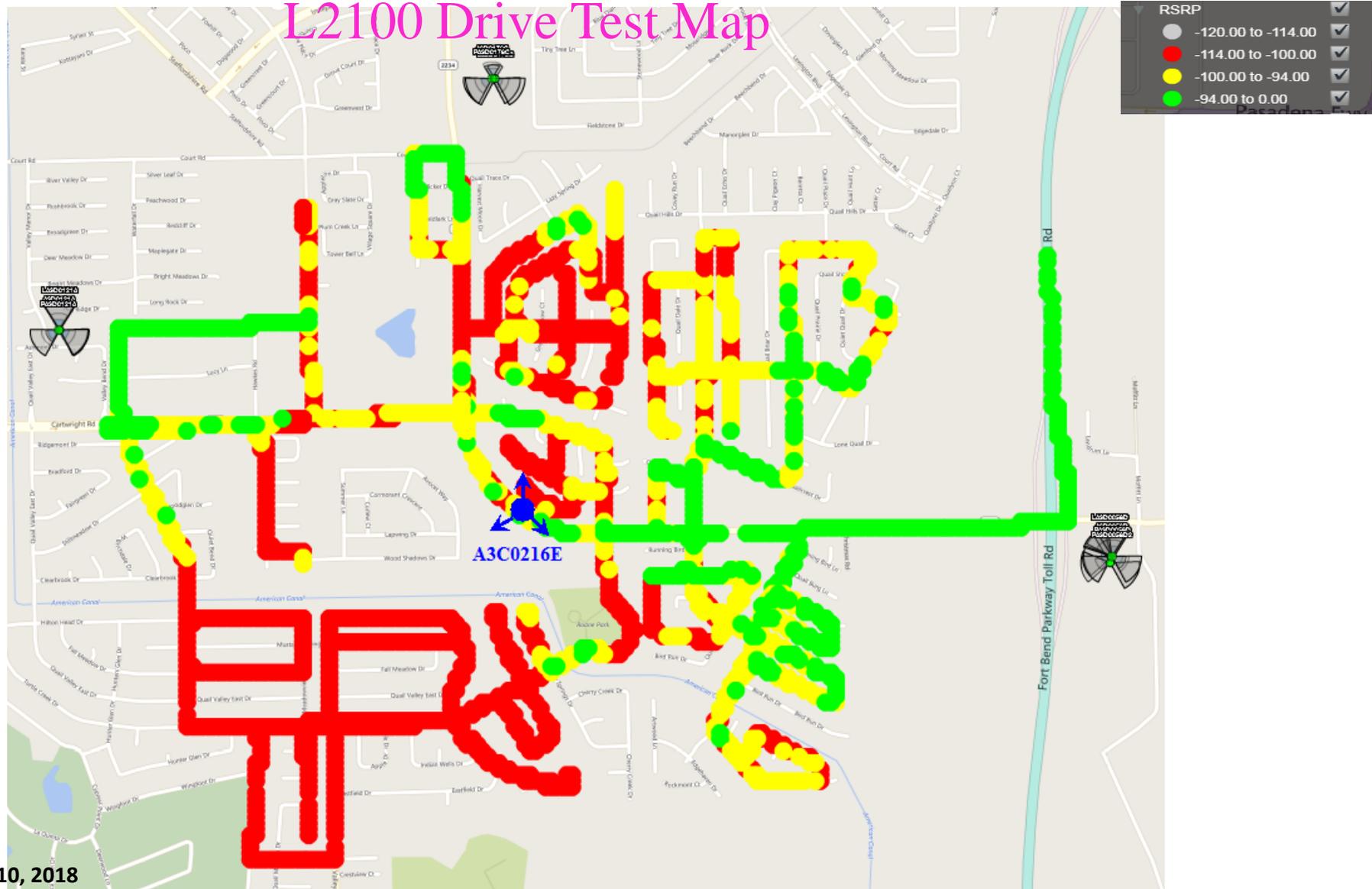
LTE 2100 COVERAGE – POR Sites (without A3C0308A)

LTE: Best RSRP

Grey	-120 <= x < -114 dBm	(Outdoor Only)
Red	-114 <= x < -95 dBm	(In Vehicle)
Yellow	-95 <= x < -90 dBm	(Indoor Residential)
Green	-90 <= x < 0 dBm	(Indoor Urban)



L2100 Drive Test Map



April 10, 2018



Christian Bible Church

Roane Park

Subject Site

Quail Valley Thunderbird North

Legend

-  SUPTurtle Creek
-  City Limits Line.lyr
-  2018 April FBCAD

1 inch = 300 feet

0 150 300 600 Feet

Fort Bend Independent

July 18, 2018

Page 5



City of Missouri City

NOTICE OF PUBLIC HEARING

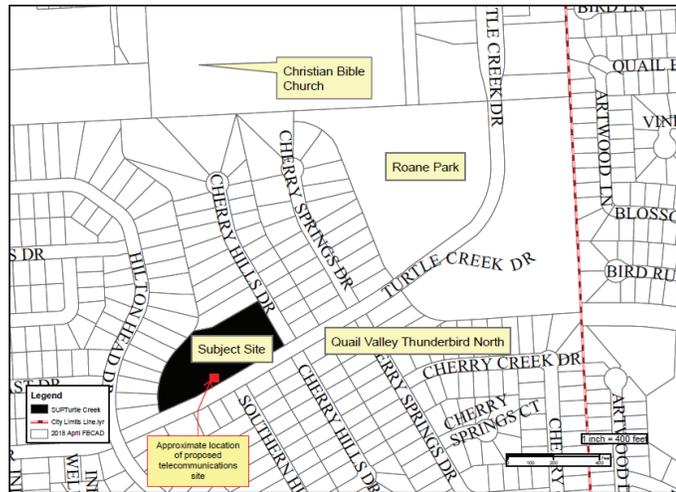
LOCATION/DATE: The City Council of the City of Missouri City will hold a public hearing on Monday, August 6, 2018, at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

PURPOSE: To receive comments for or against a request by Justin Jones, Skyway Towers LLC for a Specific Use Permit to allow for the location of a telecommunications tower and associated equipment, 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 telecommunications site is proposed to be located within the Thunderbird North subdivision, within a neighborhood park, north of the intersection of Turtle Creek Drive and Southern Hills Drive and west of Roane Park.

SITE LEGAL DESCRIPTION: The proposed telecommunications site is described as being a 0.06 acres of land, out of Reserve C, Thunderbird North, recorded under Volume 14, Page 16 Map Records of Fort Bend County, Texas, conveyed to Thunderbird North Community Association Inc., by deed recorded under Volume 684, Page 104 Official Public Records of Fort Bend County.

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



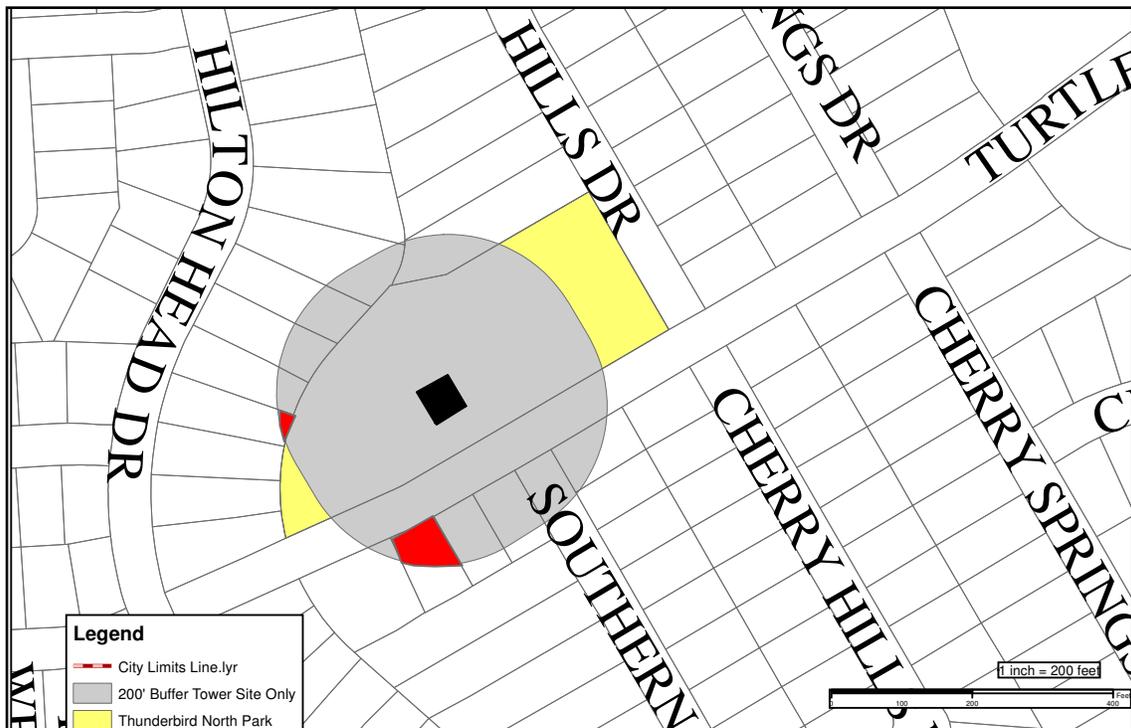
City of Missouri City, Texas
Development Services Department – Planning Division
Rezoning Application Protest Letters Analysis

Application: Skyway Tower Turtle Creek - SUP
City Council First Reading: August 6, 2018

Protest Letters Received

Name	Property Address OR Fort Bend County Account Number	Land Area (Square Feet) Within 200 Feet
Rosetta Morgan	1611 Turtle Creek	4,301.28
Total Area Represented by Protest(s):		4,301.28
Total Land Area <i>Including</i> Subject Site:		168,784.67
Subject Site <i>Only</i> Land Area:		2,500.00
Total Land Area <i>Only Within 200 Feet</i> of Subject Site:		166,284.67
Protest(s) Percentage of Land Area Within 200 Feet:		3%

Note: A total of 1 letters of support and 3 letters of protest have been received for the application request as of August 2, 2018.





DEVELOPMENT SERVICES – PLANNING DIVISION

1522 TEXAS PARKWAY

MISSOURI CITY, TEXAS 77489

June 29, 2018

CITY OF MISSOURI CITY, TEXAS
Planning and Zoning Commission

The Planning and Zoning Commission of the City of Missouri City will hold a public hearing:
Wednesday, July 11, 2018
City Council Chambers
2nd Floor, City Hall Building
1522 Texas Parkway (FM 2234); 7:00 PM

To receive comments for or against a request by Justin Jones, Skyway Towers LLC for a Specific Use Permit to allow for the location of a telecommunications tower and associated equipment, 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.

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

Dear City Representatives:

I/We protest this proposed rezoning because 'Health reasons' will bring down property value. Unwisely, too close to my home. Fear of endangerment, does not belong in any residential area.

I/We support this proposed rezoning because

Sincerely, Rose H Morgan Rosetta Morgan
Signature Print Name

1611 Turtle Creek Thunder Bird
Street Address Subdivision

Return to: Development Services Department
1522 Texas Parkway
Missouri City, TX 77489
FAX (281) 208-6551

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

Print Name Signature City of Missouri City, TX Received

JUL 03 2018

Planning Division



DEVELOPMENT SERVICES – PLANNING DIVISION

1522 TEXAS PARKWAY

MISSOURI CITY, TEXAS 77489

June 29, 2018

CITY OF MISSOURI CITY, TEXAS
Planning and Zoning Commission

The Planning and Zoning Commission of the City of Missouri City will hold a public hearing:
Wednesday, July 11, 2018
City Council Chambers
2nd Floor, City Hall Building
1522 Texas Parkway (FM 2234); 7:00 PM

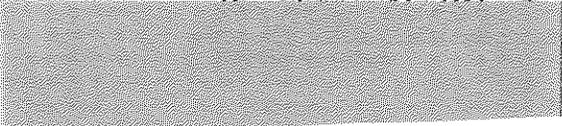
To receive comments for or against a request by Justin Jones, Skyway Towers LLC for a Specific Use Permit to allow for the location of a telecommunications tower and associated equipment, and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

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

Dear City Representatives:

I/We protest this proposed rezoning because This is a neighborhood for families not a business community causing the value of the homes to go down.
I/We support this proposed rezoning because

Sincerely, Vera Parker VERA PARKER
Signature Print Name
3103 Cherry Hill Dr Little Creek
Street Address Subdivision



Return to: Development Services Department
1522 Texas Parkway
Missouri City, TX 77489
FAX (281) 208-5551

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

VERA PARKER Vera Parker
Print Name Signature

City of Missouri City, TX

Received

JUL 11 2018

Planning Division



DEVELOPMENT SERVICES – PLANNING DIVISION

1522 TEXAS PARKWAY

MISSOURI CITY, TEXAS 77489

June 29, 2018

CITY OF MISSOURI CITY, TEXAS
Planning and Zoning Commission

The Planning and Zoning Commission of the City of Missouri City will hold a public hearing:
Wednesday, July 11, 2018
City Council Chambers
2nd Floor, City Hall Building
1522 Texas Parkway (FM 2234); 7:00 PM

To receive comments for or against a request by Justin Jones, Skyway Towers LLC for a Specific Use Permit to allow for the location of a telecommunications tower and associated equipment, 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.

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

Dear City Representatives:

X I/We protest this proposed rezoning because it will demeciate the value of your house. And it will be to lose to children playing in the park nearby. safety issue!!!
I/We support this proposed rezoning because

Sincerely, [Signature] SCHEPERS-CHENS-KARINE
Signature Print Name

1630 HILTON HEAD DR
Street Address Subdivision
Return to: Development Services Department
1522 Texas Parkway
Missouri City, TX 77489
FAX (281) 208-5551

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Print Name Signature Received
City of Missouri City, TX

JUL 12 2018

Planning Division



DEVELOPMENT SERVICES – PLANNING DIVISION

1522 TEXAS PARKWAY

MISSOURI CITY, TEXAS 77489

June 29, 2018

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

Dear City Representatives:

I/We protest this proposed rezoning because

I/We support this proposed rezoning because WE HAVE PLENTY ANTENNAS HERE

Sincerely,
Reginald C. Mosley REGINALD C. MOSLEY
Signature Print Name

1714 HILTON HEAD DR THUNDERBIB NORTH
Street Address Subdivision

Return to: Development Services Department
1522 Texas Parkway
Missouri City, TX 77489
FAX (281) 208-5551

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

REGINALD C. MOSLEY Reginald C. Mosley
Print Name Signature

City of Missouri City, TX
Received

JUL 17 2018

Planning Division



CITY COUNCIL AGENDA ITEM COVER MEMO

August 20, 2018

To: Mayor and City Council
Agenda Item: 7(a)(1) Brazos Lakes Mixed Use Project - 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 an approximate 24.45 acre tract of land from LC-3, retail district to PD, Planned Development District to allow for a mixed use commercial and residential development, 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.

The subject site is located north of Excel Urgent Care, south of a Murphy Express gas station and Cube Smart self-storage, east of Quail Valley Thunderbird and a Public Storage, and west of Colony Lakes residential subdivision.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Have quality development through buildout

BACKGROUND

Brazos Lakes is a proposed mixed-use residential and commercial development to be constructed in two phases. Each phase would include a residential component, condominium dwelling units and/or single family townhomes and a nonresidential component, commercial, office and restaurant space. An open, multi-purpose plaza is a proposed feature in addition to the development of spaces that overlook a lake with the provision indoor/outdoor seating and lounges. A 2-story parking structure is also proposed. Generally, future development along the Highway 6 frontage would include several 2-story buildings and associated parking areas.

Staff recommended approval and the Planning and Zoning Commission forwards a positive recommendation with some modifications and clarifications to staff's recommendations.

City Council approved the ordinance on the first reading and requested that staff bring back a recommendation for the land use mix for each phase and provide performance standards to mitigate the amplification of sound. Based upon the Council's discussion during the first reading, the developer has also modified the request for the age-restricted condominiums. The following changes are being proposed:

Condominium residential units:

- *Phase 1:* Allow a 50/50 mix of age restricted and nonage restricted units;
- *Phase 2:* Allow for either continued age restricted or nonage restricted units based upon the market performance and demand from Phase 1.

Performance Standards:

- Require that all nonresidential buildings incorporate interior acoustical treatments to minimize sound to the outside of such buildings;

- Prohibit the amplification of sound outside of buildings and structures to no later than 10:00 pm on Sundays through Thursdays and no later than 11:00 pm on Fridays and Saturdays. Sound emanating from restaurant drive-through speakers would be permitted.

Development schedule:

- *Phase 1:* Allow a minimum of 103,200 square feet of one or more nonresidential buildings to be constructed. A maximum of 122 residential units would be permitted. The multipurpose clubhouse would be required to be constructed with the residential units;
- *Phase 2:* If the occupancy level for the nonresidential buildings and dwelling units constructed in Phase 1 are each at or higher than 70%, then a minimum 103,200 square feet more of nonresidential buildings may be constructed in addition to the remaining residential units.

SUPPORTING MATERIALS

1. Ordinance
2. Document showing changes between first and second reading
3. Application
4. Letter of owner authorization
5. Brazos Lakes Mixed Use Master Plan
6. Ortho map
7. Notice of public hearing to adjoining property owners
8. Rezoning application protest letters analysis
9. Letters of protest

STAFF'S RECOMMENDATION

Staff recommends approval of the ordinance on the final reading.

Director Approval:

Otis T. Spriggs, AICP, Development Services Director

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

Scott Elmer, P.E., Assistant City Manager

ORDINANCE NO. O-18-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 24.45 ACRES OF LAND FROM LC-3 RETAIL DISTRICT TO PD PLANNED DEVELOPMENT DISTRICT NO. 106; DESCRIBING SAID 24.45 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, Golden Power Capital, LLC, is the owner of approximately 22.45 acres of land and Ming & Shu Development, LLC, is the owner of approximately 2.0 acres of land for a total of approximately 24.45 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 LC-3 retail district under Ordinance No. O-84-45, adopted on June 18, 1984; and

WHEREAS, the owner's agent, Justin A. Schrader of LJA, has made application to the City of Missouri City to change the zoning classification of the Property from LC-3 retail district to PD Planned Development District 106; 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 LC-3 retail district to PD Planned Development District No. 106. The Property can be described as being the property described in Exhibit “A”, 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” conflicts with Exhibit “A-1”, Exhibit “A” shall prevail.

Section 4. The planned development district shall be developed in accordance with the Missouri City Code, including the City of Missouri City Zoning Ordinance, and shall be developed 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.** The planned development district may include residential and commercial uses. Improvements to the site shall be designed to enhance the overall urban design and nature of the surrounding area.
- B. 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 uses are allowed:

1. LC-3 retail district uses.
2. Townhouse residential unit uses.
3. Condominium residential unit uses as described below:
 - a. **Phase 1:** At least 50 percent of the condominium residential unit uses constructed in Phase 1 shall be restricted to residents at least 55 years of age (hereinafter referred to as “age restricted”), provided that the owner, manager, operator, or agent of such uses shall provide the Missouri City director of development services with verification of the age of residents at least annually in a manner acceptable under the Housing for Older Persons Act, as such act may be amended from time to time. The remaining 50 percent of the condominium residential unit uses constructed in Phase 1 are not required to be restricted to residents at least 55 years of age (hereinafter referred to as “non-age restricted”).
 - b. **Phase 2:** Except as provided herein, in Phase 2, condominium residential unit uses shall be restricted to age restricted units. Condominium residential unit uses may be non-age restricted if the market demand, as determined by an independent market study of condominium residential unit uses constructed on the Property in Phase 1, for non-age restricted units on the Property is greater than the market demand for age-restricted units.

C. Height and area regulations. The following height and area regulations shall apply.

1. *LC-3 retail district uses:* The height and area regulations set forth in set forth in Subsection 7.12, LC-3 retail district, of the City of Missouri City Zoning Ordinance shall apply to LC-3 retail district uses.
2. *Townhouse residential unit uses:* Except as provided herein, the height and area regulations contained in Subsection 7.6, R-5 townhouse residential district, of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit uses. The front, rear, and side yard; lot width; and lot area standards set forth in the site plan, Exhibit "B," are allowed.
3. *Condominium residential unit uses:* Except as provided herein, the height and area regulations contained in Subsection 7.7, R-6 condominium residential district, of the City of Missouri City Zoning Ordinance shall apply to condominium residential unit uses. The height of a building or structure for a condominium residential unit use shall not exceed the height restrictions for a building or structure located in an LC-3 retail district as set forth in Subsection 7.12, LC-3 retail district, of the City of Missouri City Zoning Ordinance.

D. Building regulations. The building regulations contained in Subsection 7.12, LC-3 retail district, of the City of Missouri City Zoning Ordinance shall apply to all buildings and structures constructed in PD Planned Development District No. 106.

E. Architectural standards. Except as provided 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. All townhouse residential unit use buildings and structures shall be constructed in compliance with the architectural standards of Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance.
2. The primary material for the exterior of all buildings and structures shall consist of brick. The same brick material shall be used throughout the planned development district.
3. Accent materials for the exterior of all buildings and structures may include the following:
 - a. Calcium silicate smooth masonry unit;
 - b. Modular face brick, blend sunset or similar;
 - c. Senerflex classic PB Wall System by "Senergy" with Perma-Lath reinforcing mesh and weatherproof base and finish coats;

- d. Exterior storefront and glass wall systems (aluminum, clear, anodized frames with one-fourth (1/4) of an inch thick tinted vision glass; one-fourth (1/4) of an inch thick tinted spandrel glass, and aluminum doors and sidelites); and
 - e. Clear, anodized extruded aluminum and one-fourth (1/4) of an inch thick tinted vision glass.
 - 4. Rainwater systems and equipment are not required to meet the architectural design standards set forth in Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance, provided that such systems and equipment shall be constructed as depicted in Exhibit "C".
 - 5. At least one garage with square footage sufficient to house a minimum of two seven-foot by 18-foot automobiles in addition to normal yard maintenance equipment is not required for each condominium unit.
- F. Garage.** Except as provided herein, the garage regulations set forth in Section 9.8 of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit and condominium residential unit uses.
- 1. The parking depicted and described in the site plan, Exhibit "B", is allowed as depicted and described.
- G. Trash disposal regulations.** Except as provided herein, the trash disposal regulations contained in Subsection 9.14, Trash disposal regulations, of the City of Missouri City Zoning Ordinance shall apply.
- 1. *LC-3 retail district uses:* The trash disposal regulations for nonresidential zones, specifically, LC-3 retail districts, shall apply to LC-3 retail district uses.
 - 2. *Townhouse residential unit and condominium residential unit uses:* The trash disposal regulations for residential zones, specifically, R-5 townhouse residential and R-6 condominium residential districts, shall apply to townhouse residential unit and condominium residential unit uses, respectively.
- H. Portable storage unit regulations.** The portable storage unit regulations contained in Section 9.15, Portable storage unit regulations in suburban and residential districts, of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit and condominium residential unit uses.
- I. Outside placement, storage, sales and services regulations.** Outside placement, storage, sales and services of materials, merchandise, and equipment are prohibited.
- J. Landscaping regulations.** Except as provided herein, the landscaping, screening, and buffer yard regulations for R-5 townhouse residential districts, R-

6 condominium residential districts, and LC-3 retail district uses, as applicable, contained in Section 11, Landscaping, of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit uses, condominium residential unit uses, and LC-3 retail district uses, respectively.

1. The landscaping, screening, and buffer yards depicted and described in the landscaping plan, Exhibit "D", are allowed as depicted and described.
2. There shall be a greenbelt of 30 feet adjacent to all property lines. Buildings, streets and parking may be built immediately adjacent to the greenbelt. There shall be a yard of 15 feet between buildings and private streets, driveways and parking areas. Steps, unenclosed porches, fences, patios or courts are allowed in yards. The developer shall have the option to provide the greenbelt or an equivalent green area within the development in addition to all required yards.

K. Parking regulations. Except as provided herein, the parking regulations contained in Section 12, Parking Regulations, of the City of Missouri City Zoning Ordinance shall apply.

1. The parking depicted and described in the site plan, Exhibit "B", is allowed as depicted and described.

L. Sign regulations.

1. *LC-3 retail district uses.* The sign regulations for nonresidential zoning districts contained in Section 13, Sign Regulations, of the City of Missouri City Zoning Ordinance shall apply to LC-3 retail district uses.
2. *Townhouse and condominium residential unit uses.* The sign regulations for residential zoning districts contained in Section 13, Sign Regulations, of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit and condominium residential unit uses.

M. Fence regulations.

1. *LC-3 retail district uses.* The fence regulations contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance for LC-3 retail districts shall apply to LC-3 retail district uses.
2. *Townhouse residential unit uses.* The fence regulations contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance for R-5 townhouse residential districts shall apply to townhouse residential unit uses.
3. *Condominium residential unit uses.* The fence regulations contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance for R-6 condominium residential districts shall apply to condominium residential unit uses.

N. Amenities. A multipurpose clubhouse and large meeting room shall be constructed in accordance with the development schedule provided for by Section 4.Q of this Ordinance.

O. Performance Standards.

1. *Noise.*

a. Buildings occupied by LC-3 retail district uses shall incorporate interior acoustical treatments that minimize sound outside of such buildings.

b. Except as provided herein, the amplification of sound outside of buildings and structures after 10:00 pm on Sundays through Thursdays and after 11:00 pm on Fridays and Saturdays is prohibited. Sound emanating from restaurant drive-through speakers is allowed.

P. Minor Modifications. The following minor modifications are allowed provided that such modifications shall be reviewed for compliance with the Missouri City Code and this Ordinance and approved by the city manager or his designee as evidenced by a memorandum filed by the city manager or his designee with the city secretary:

1. Modifications to internal street patterns are allowed.

2. Modifications to the total acreage provided for each use district set forth in Exhibit "B" are allowed, provided that such modifications, or a series of such modifications, shall not result in a net increase of 10 percent or more or in a net decrease of 10 percent or more in the acreage for such use.

Q. 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. The planned development shall be developed in two phases as follows:

1. *Phase 1:* Phase 1 shall commence on the date on which this Ordinance becomes effective. Construction of a minimum of 103,200 square feet of one or more buildings designated for LC-3 retail district uses in compliance with this Ordinance shall be completed before or contemporaneously with the submission of an application for a certificate of zoning compliance for any townhouse residential unit or condominium residential unit uses. A maximum of 122 residential units may be constructed in Phase 1. Construction of the multipurpose clubhouse required by Subsection 4.N shall be completed in compliance with this Ordinance before or contemporaneously with the submission of an application for a building permit for residential units in Phase 2.

2. *Phase 2:* Phase 2 shall commence after the date on which: (a) the construction of all of Phase 1 residential units are completed; (b) the developer certifies that the occupancy level for the dwelling units constructed in Phase 1 is 70 percent; and (c) the developer certifies that 70 percent of the total square footage of commercial development constructed in Phase 1 is occupied. Construction of a minimum of 103,200 square feet of one or more new buildings designated for LC-3 retail district uses, which shall be in addition to the existing buildings designated for LC-3 retail district uses constructed in Phase 1, shall be completed before or contemporaneously with the submission of an application for zoning compliance for any additional residential units to be constructed in Phase 2.

Section 5. The Zoning District Map of the City of Missouri City shall be revised and amended to show the zoning classification of the Property 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 Ordinance No. O-84-45, adopted by the City Council of the City of Missouri City on June 18, 1984, 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

EXHIBIT A, PAGE 1 OF 2 PAGES

County: Fort Bend
Project: Brazos Lakes
M&B No: 18-042
CS Job No: 18049

METES AND BOUNDS DESCRIPTION OF 24.448 ACRES

Being a tract of land containing 24.506 acres, located in the David Bright League, Abstract 13, in Fort Bend County, Texas; Said 24.506 acre tract being all of a called 22.507 acre tract of land recorded in the name of Golden Power Capital, LLC, in Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2016086714 and all of a called 2.0 acre tract of land recorded in the name of Ming & Shu Development, LLC, in F.B.C.C.F. No. 201006905; Said 24.506 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System of 1983, South Central Zone):

BEGINNING, at a 3/4-inch iron pipe found at the easterly corner of said 2.0 acre tract and the northerly corner of Unrestricted Reserve "D" of Brazos Crossing, Sec 1, a subdivision of record in Plat No. 20090012 of the Fort Bend County Plat Records (F.B.C.P.R.), on the southwest Right-of-Way (R.O.W.) line of State Highway 6 (one hundred eighty feet wide);

THENCE, with the southeast lines of said 2.0 acre and said 22.507 acre tract and with the northwest lines of said Unrestricted Reserve "D" and Unrestricted Reserve "A" of said Brazos Crossing, Sec 1, the following three (3) courses:

1. South 50° 49' 03" West, a distance of 416.85 feet to a 3/4-inch iron pipe found at the southerly corner of said 2.0 acre tract;
2. North 39° 22' 27" West, a distance of 104.30 feet to a 5/8-inch capped iron rod found at an angle point;
3. South 50° 49' 03" West, a distance of 47.54 feet to a 5/8-inch capped iron rod found at the southerly corner of said 22.507 acre tract, the northwesterly corner of said Unrestricted Reserve "A", the northerly corner of a called 1.8279 acre tract of land recorded in the name of Fort Bend County Municipal Utility District (F.B.C.M.U.D.) No. 46 and the most easterly south corner of a called 4.0259 acre tract of land recorded in the name of F.B.C.M.U.D. No. 46 in F.B.C.C.F. No. 2005084276;

THENCE, with the southwest lines of said 22.507 acre tract and the northeast lines of said 4.0259 acre tract, the following five (5) courses:

1. North 39° 10' 57" West, a distance of 217.68 feet to a 5/8-inch iron rod found at an angle point;

EXHIBIT A, PAGE 2 OF 2 PAGES

2. North 70° 12' 02" West, a distance of 581.65 feet to a 5/8-inch capped iron rod found at an angle point;
3. North 52° 18' 10" West, a distance of 272.83 feet to a 5/8-inch iron rod found at an angle point;
4. North 45° 47' 37" West, a distance of 467.83 feet to a 5/8-inch iron rod found at an angle point;
5. North 35° 40' 26" West, a distance of 24.56 feet to a 5/8-inch capped iron rod set for the westerly northwest corner of said 22.507 acre tract and the northerly northeast corner of said 4.0259 acre tract, on the southeast line of a called 11.5583 acre tract of land recorded in the name of F.B.C.M.U.D. No. 46 in F.B.C.C.F. No. 2005099347;

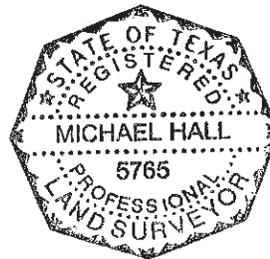
THENCE, North 52° 45' 01" East, with the northwest line of said 22.507 acre tracts and the southeast lines of said 11.5583 acre tract and Unrestricted Reserves "C1" and "E" of Midtown Market Reserves "C1", "D" and "E", a subdivision of record in Plat No. 20100124 of the F.B.C.P.R., at a distance of 639.64 feet pass a 5/8-inch iron rod found at the easterly corner of said Unrestricted Reserve "C1" and the southerly corner of said Unrestricted Reserve "E", continuing in all a distance of 879.26 feet to a 5/8-inch iron rod found at the northerly corner of said 22.507 acre tract and the easterly corner of said Unrestricted Reserve "E", on the southwest R.O.W. line of said State Highway 6;

THENCE, South 39° 10' 57" East, with the northeast lines of said 22.507 acre tract and said 2.0 acre tract, at a distance of 1,337.04 feet pass a 3/4-inch iron pipe found at the northerly corner of said 2.0 acre tract, continuing in all a distance of 1,545.74 feet to the **POINT OF BEGINNING** and containing 24.506 acres of land, **SAVE AND EXCEPT** a called 0.0574 acre tract of land recorded in the name of F.B.C.M.U.D. No. 46 in F.B.C.C.F. No. 2005084273, leaving a net acreage of 24.448 acres of land.

A Standard Land Survey of the herein described tract was prepared in conjunction with and accompanies this description.



Michael Hall, R.P.L.S.
Texas Registration Number 5765



CIVIL-SURV LAND SURVEYING, LC
PH: (713) 839-9181
April 19, 2018

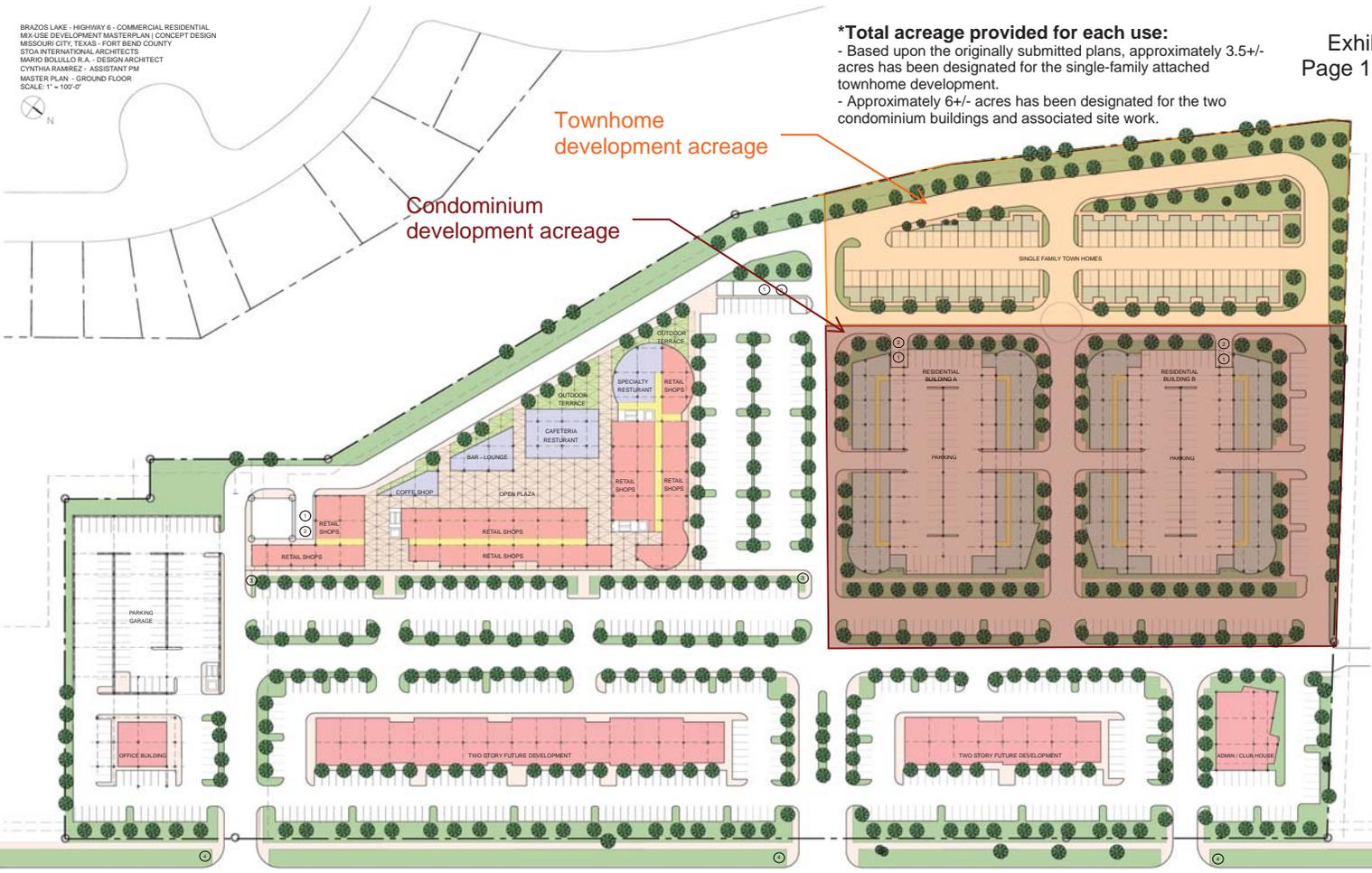
BRAZOS LAKE - HIGHWAY 6 - COMMERCIAL RESIDENTIAL MIX-USE DEVELOPMENT MASTERPLAN | CONCEPT DESIGN
 MISSOURI CITY, TEXAS - FORT BEND COUNTY
 STDA INTERNATIONAL ARCHITECTS
 MARIO BOLLUDO R.A. - DESIGN ARCHITECT
 CYNTHIA RAMIREZ - ASSISTANT PM
 MASTER PLAN - GROUND FLOOR
 SCALE: 1" = 100'



***Total acreage provided for each use:**
 - Based upon the originally submitted plans, approximately 3.5+/- acres has been designated for the single-family attached townhome development.
 - Approximately 6+/- acres has been designated for the two condominium buildings and associated site work.

Townhome development acreage

Condominium development acreage



- KEYNOTE LEGEND
- LOADING & SERVICES LOCATION
 - DUMPSTER LOCATION
 - SIGN LOCATION
 - MONUMENT SIGN LOCATION

HWY 6

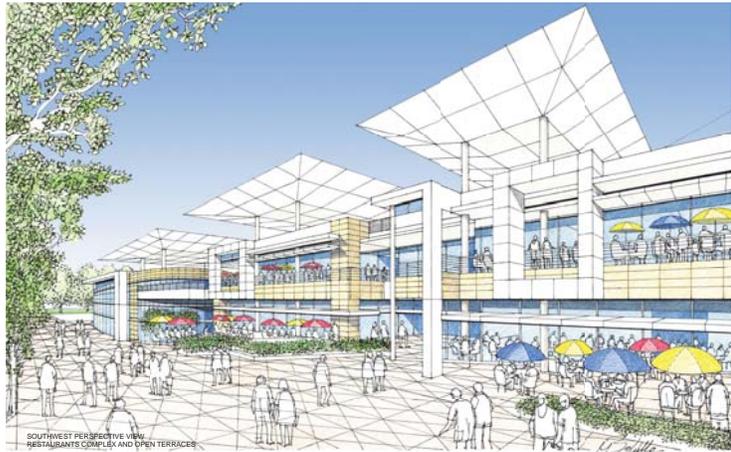


Exhibit D
13 pages
Landscape & Tree Preservation Plans

*These plans do not reflect additional green space (green belt) and open space added as recommended by the P&Z Commission on July 11, 2018 and as shown in Exhibit B, Site Plan. The greenbelt and open space as required by the city's zoning ordinance for Townhome residential and Condominium uses are required.

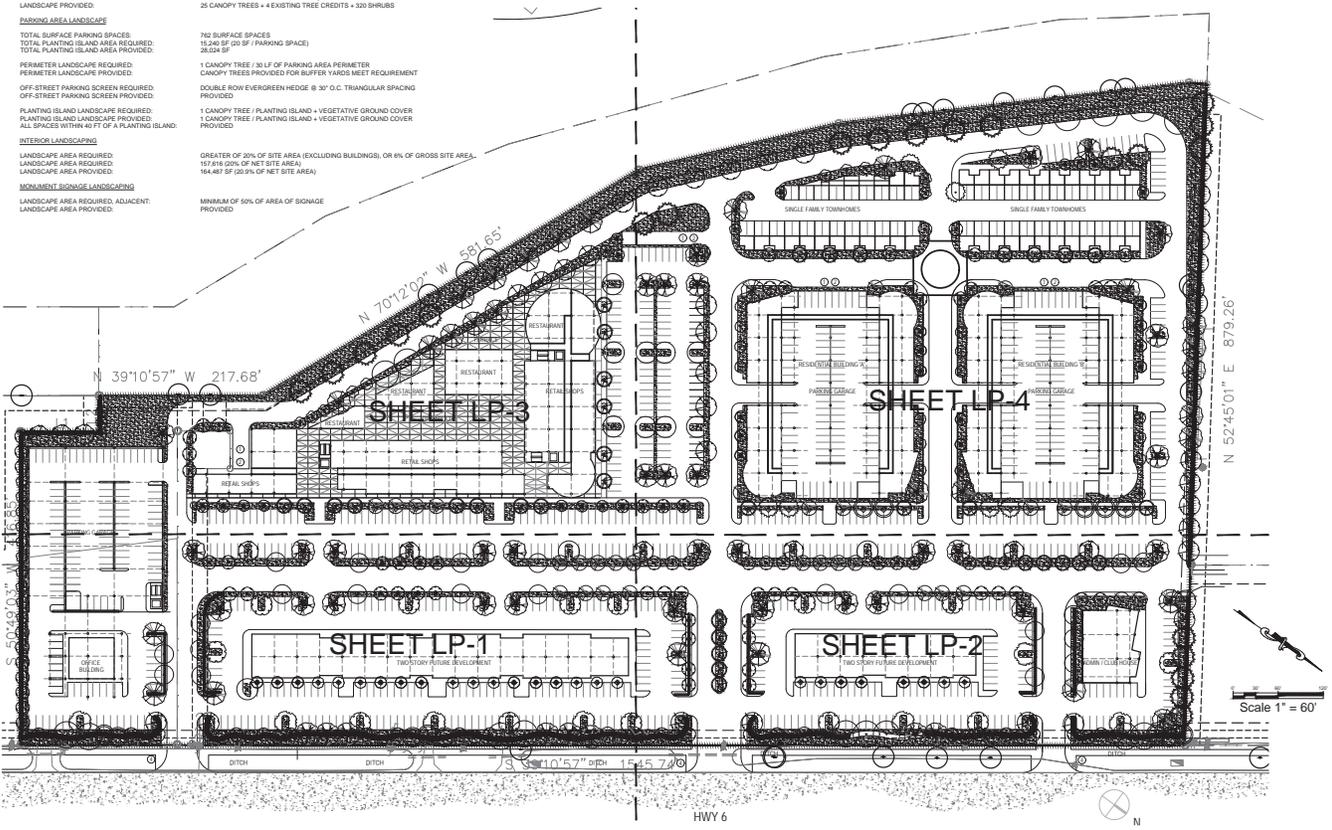
LANDSCAPE CALCULATIONS

TOTAL SITE AREA	1,087,502 SF / 24.51 AC
TOTAL AREA COVERED BY BUILDINGS	279,431 SF / 6.42 AC
NET SITE AREA	788,081 SF / 18.09 AC
TRANSITIONAL BUFFER YARDS & SCREENING	
HIGHWAY 6 BUFFER YARD (FRONT) - 1,546 LF TOTAL	TYPE B: 20 FT WIDTH
REQUIRED BUFFER YARD:	1 CANOPY TREE / 30 LF OR 1 UNDERSTORY TREE (30 LF + CONT. SHRUBS @ 30" O.C.)
LANDSCAPE REQUIREMENTS:	17 CANOPY TREES (1546 x 0.33) + 52 UNDERSTORY TREES (1546 x 0.87) + CONT. SHRUBS @ 30" O.C.
LANDSCAPE PROVIDED:	17 CANOPY TREES + 52 UNDERSTORY TREES + 1,202 SHRUBS
EAST BUFFER YARD (LEFT SIDE) - 464 LF TOTAL	TYPE B: 10 FT WIDTH
REQUIRED BUFFER YARD:	1 UNDERSTORY TREE / 20 LF + CONT. SHRUBS @ 30" O.C.
LANDSCAPE REQUIREMENTS:	23 UNDERSTORY TREES + CONT. SHRUBS @ 30" O.C.
LANDSCAPE PROVIDED:	23 UNDERSTORY TREES + 181 SHRUBS
SOUTH BUFFER YARD (REAR) - 1,869 LF TOTAL	TYPE A' BUFFER PROVIDED ON ADJACENT PARCEL
NO ADDITIONAL BUFFER / SCREENING REQUIRED	
WEST BUFFER YARD (RIGHT SIDE) - 879 LF TOTAL	TYPE B: 10 FT WIDTH
REQUIRED BUFFER YARD:	1 CANOPY TREE / 30 LF + CONT. SHRUBS @ 30" O.C.
LANDSCAPE REQUIREMENTS:	24 CANOPY TREES + CONT. SHRUBS @ 30" O.C.
LANDSCAPE PROVIDED:	25 CANOPY TREES + 4 EXISTING TREE CREDITS + 300 SHRUBS
PARKING AREA LANDSCAPE	
TOTAL SURFACE PARKING SPACES	70 SURFACE SPACES
TOTAL PLANTING ISLAND AREA REQUIRED:	18,240 SF (20 SF / PARKING SPACE)
TOTAL PLANTING ISLAND AREA PROVIDED:	26,234 SF
PERIMETER LANDSCAPE REQUIRED:	1 CANOPY TREE / 30 LF OF PARKING AREA PERIMETER
PERIMETER LANDSCAPE PROVIDED:	CANOPY TREES PROVIDED FOR BUFFER YARDS MEET REQUIREMENT
OFF-STREET PARKING SCREEN REQUIRED:	DOUBLE ROW EVERGREEN HEDGE @ 30" O.C. TRIANGULAR SPACING
OFF-STREET PARKING SCREEN PROVIDED:	PROVIDED
PLANTING ISLAND LANDSCAPE REQUIRED:	1 CANOPY TREE / PLANTING ISLAND + VEGETATIVE GROUND COVER
PLANTING ISLAND LANDSCAPE PROVIDED:	1 CANOPY TREE / PLANTING ISLAND + VEGETATIVE GROUND COVER
ALL SPACES WITHIN 40 FT OF A PLANTING ISLAND:	PROVIDED
INTERIOR LANDSCAPING	
LANDSCAPE AREA REQUIRED:	GREATER OF 20% OF SITE AREA (EXCLUDING BUILDINGS), OR 6% OF GROSS SITE AREA
LANDSCAPE AREA PROVIDED:	157,819 SQ.FT. NET SITE AREA
LANDSCAPE AREA PROVIDED:	164,487 SF (20.5% OF NET SITE AREA)
MONUMENT SIGNAGE LANDSCAPING	
LANDSCAPE AREA REQUIRED, ADJACENT	MINIMUM OF 50% OF AREA OF SIGNAGE
LANDSCAPE AREA PROVIDED:	PROVIDED

SEE SHEET LP-5 FOR
PLANT SCHEDULE



6/18/18



NOTE: IN CASE OF CONFLICT BETWEEN DETAILS SHOWN ON THIS SHEET AND THE MISSOURI CITY, TEXAS DESIGN STANDARDS, THE MORE STRINGENT SHALL APPLY.

DATE	REVISION	BY

MISSOURI CITY
FORT BEND COUNTY, TEXAS

**BRAZOS LAKES
MASTER PLAN**

**OVERALL PLANTING
KEY PLAN**

LJA Engineering Inc.

2102 Westmark Drive Phone: 713.853.2000
Suite 400 Fax: 713.853.2005
Houston, Texas 77042-3703 770-4-1388

LJA PROJECT NO.: 33000-XXXX-XXXX

SUBMITTED: DESIGNED BY: [initials]
SCALE: 1"=60' DRAWN BY: [initials]
DATE: June 2018 SHEET NO. X OF X SHEETS
CHECKED BY: CITY DWG NO.: LP-0
F B NO.

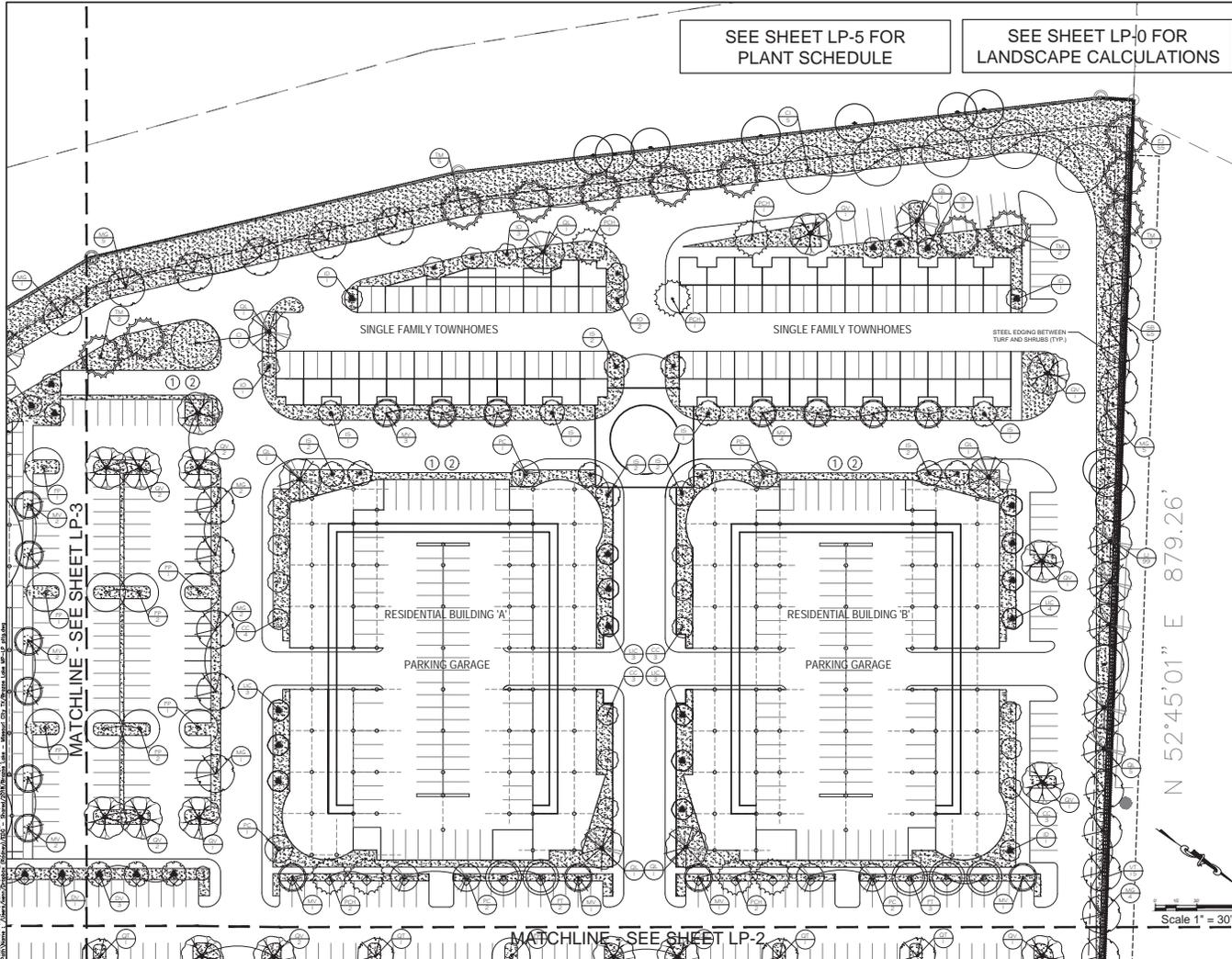
CITY OF MISSOURI CITY, TX - XXXX-XXXX



6/18/18

SEE SHEET LP-5 FOR
PLANT SCHEDULE

SEE SHEET LP-0 FOR
LANDSCAPE CALCULATIONS



NOTE:
IN CASE OF CONFLICT BETWEEN DETAILS
SHOWN ON THIS SHEET AND THE MISSOURI
CITY, TEXAS DESIGN STANDARDS, THE MORE
STRINGENT SHALL APPLY.

DATE	REVISION	BY

MISSOURI CITY
FORT BEND COUNTY, TEXAS

**BRAZOS LAKES
MASTER PLAN**

PLANTING PLAN

LJA Engineering Inc.
7922 Westmark Drive
Suite 400
Houston, Texas 77042-3723
Phone: 713.853.2000
Fax: 713.853.2000
Toll-free: 1-800-393-1388

LJA PROJECT NO.: XXXX-XXXX-XXX
 DESIGNED BY: []
 CHECKED BY: []
 SCALE: 1"=30'
 DATE: June 2018
 DRAWN BY: []
 SHEET NO. 5 of X SHEETS
 CITY DWG NO.: LP-4
 P & NO.

CITY OF MISSOURI CITY, TX - XXXX-XXXX



6/18/18

TREE INVENTORY

NUMBER	SPECIES	DBH	PRESERVE	REMOVE	NOTES
01	DAK	60		X	CONFLICT WITH PROPOSED PARKING
02	HACKBERRY	7		X	CONFLICT WITH PROPOSED BUILDING
03	DAK	42		X	CONFLICT WITH PROPOSED PARKING
04	DAK	42		X	CONFLICT WITH PROPOSED PARKING
05	HACKBERRY	15		X	CONFLICT WITH PROPOSED PARKING
06	CHINABERRY	48		X	CONFLICT WITH PROPOSED PARKING
07	DAK	42		X	CONFLICT WITH PROPOSED PARKING
08	ASH	36		X	CONFLICT WITH PROPOSED ROADWAY
09	CHINABERRY	6		X	CONFLICT WITH PROPOSED ROADWAY
10	CHINABERRY	12		X	CONFLICT WITH PROPOSED ROADWAY
11	HACKBERRY	7		X	CONFLICT WITH PROPOSED PARKING
12	ELM	48		X	CONFLICT WITH PROPOSED ROADWAY
13	CHINABERRY	48	X		
14	DAK	72		X	CONFLICT WITH PROPOSED BUILDING
15	DAK	60		X	CONFLICT WITH PROPOSED PARKING
16	CHINABERRY	54		X	CONFLICT WITH PROPOSED PARKING
17	DAK	54		X	CONFLICT WITH PROPOSED PARKING
18	HACKBERRY	7		X	CONFLICT WITH PROPOSED PARKING
19	DAK	60		X	CONFLICT WITH PROPOSED PARKING
20	CHINABERRY	30		X	CONFLICT WITH PROPOSED PARKING
21	HACKBERRY	7	X		
22	PECAN	36	X		
23	PECAN	36	X		
24	PECAN	36	X		
25	PECAN	36	X		
26	PECAN	36		X	CONFLICT WITH PROPOSED ROADWAY
27	PECAN	30	X		
28	HACKBERRY	7		X	CONFLICT WITH PROPOSED PARKING
29	TALLOW	8		X	CONFLICT WITH PROPOSED PARKING
30	TALLOW	12		X	CONFLICT WITH PROPOSED PARKING
31	PECAN	12		X	CONFLICT WITH PROPOSED PARKING
32	PECAN	12		X	CONFLICT WITH PROPOSED ROADWAY
33	ELM	6	X		
34	CHINABERRY	6	X		
35	HACKBERRY	7	X		
36	TALLOW	6	X		
37	HACKBERRY	7	X		
38	HACKBERRY	7	X		
39	CHINABERRY	60		X	CONFLICT WITH PROPOSED BUILDING
40	CHINABERRY	18		X	CONFLICT WITH PROPOSED BUILDING
41	HACKBERRY	12		X	CONFLICT WITH PROPOSED BUILDING
42	CHINABERRY	36		X	CONFLICT WITH PROPOSED BUILDING
43	PECAN	24		X	CONFLICT WITH PROPOSED BUILDING
44	HACKBERRY	18		X	CONFLICT WITH PROPOSED BUILDING
45	HACKBERRY	30		X	CONFLICT WITH PROPOSED PARKING
46	PECAN	54		X	CONFLICT WITH PROPOSED PARKING
47	CHINABERRY	8		X	CONFLICT WITH PROPOSED BUILDING
48	CHINABERRY	10		X	CONFLICT WITH PROPOSED BUILDING
49	PECAN	10		X	CONFLICT WITH PROPOSED BUILDING
50	HACKBERRY	7		X	CONFLICT WITH PROPOSED PARKING
51	PECAN	12		X	CONFLICT WITH PROPOSED PARKING
52	PECAN	8		X	CONFLICT WITH PROPOSED PARKING
53	PECAN	10		X	CONFLICT WITH PROPOSED PARKING
54	PECAN	6		X	CONFLICT WITH PROPOSED PARKING
55	PECAN	10		X	CONFLICT WITH PROPOSED PARKING
56	PECAN	12		X	CONFLICT WITH PROPOSED PARKING
57	CHINABERRY	8		X	CONFLICT WITH PROPOSED PARKING
58	CHINABERRY	12		X	CONFLICT WITH PROPOSED PARKING
59	PECAN	8		X	CONFLICT WITH PROPOSED PARKING
60	CHINABERRY	6		X	CONFLICT WITH PROPOSED PARKING
61	PECAN	10		X	CONFLICT WITH PROPOSED PARKING
62	PECAN	8		X	CONFLICT WITH PROPOSED PARKING

63	HACKBERRY	7		X	CONFLICT WITH PROPOSED PARKING
64	PECAN	8		X	CONFLICT WITH PROPOSED PARKING
65	PECAN	10		X	CONFLICT WITH PROPOSED PARKING
66	PECAN	24		X	CONFLICT WITH PROPOSED PARKING
67	CHINABERRY	18		X	CONFLICT WITH PROPOSED PARKING
68	PECAN	8		X	CONFLICT WITH PROPOSED PARKING
69	CHINABERRY	24		X	CONFLICT WITH PROPOSED PARKING
70	PECAN	6		X	CONFLICT WITH PROPOSED PARKING
71	PECAN	12		X	CONFLICT WITH PROPOSED PARKING
72	PECAN	12		X	CONFLICT WITH PROPOSED PARKING
73	PECAN	8		X	CONFLICT WITH PROPOSED PARKING
74	PECAN	12		X	CONFLICT WITH PROPOSED PARKING
75	CHINABERRY	15		X	CONFLICT WITH PROPOSED PARKING
76	CHINABERRY	15		X	CONFLICT WITH PROPOSED PARKING
77	PECAN	6		X	CONFLICT WITH PROPOSED PARKING
78	PECAN	6		X	CONFLICT WITH PROPOSED PARKING
79	PECAN	15		X	CONFLICT WITH PROPOSED PARKING
80	WILLOW	18		X	CONFLICT WITH PROPOSED ROADWAY
81	WILLOW	15		X	CONFLICT WITH PROPOSED ROADWAY
82	WILLOW	15		X	CONFLICT WITH PROPOSED ROADWAY
83	WILLOW	18		X	CONFLICT WITH PROPOSED ROADWAY
84	WILLOW	18		X	CONFLICT WITH PROPOSED ROADWAY
85	CHINABERRY	18		X	CONFLICT WITH PROPOSED ROADWAY
86	CHINABERRY	15		X	CONFLICT WITH PROPOSED ROADWAY
87	HACKBERRY	7		X	CONFLICT WITH PROPOSED ROADWAY
88	WILLOW	24		X	CONFLICT WITH PROPOSED ROADWAY
89	WILLOW	24		X	CONFLICT WITH PROPOSED ROADWAY
90	WILLOW	8		X	CONFLICT WITH PROPOSED ROADWAY
91	WILLOW	12		X	CONFLICT WITH PROPOSED ROADWAY
92	WILLOW	12		X	CONFLICT WITH PROPOSED ROADWAY
93	WILLOW	10		X	CONFLICT WITH PROPOSED ROADWAY
94	WILLOW	18		X	CONFLICT WITH PROPOSED PARKING
95	WILLOW	18		X	CONFLICT WITH PROPOSED PARKING
96	WILLOW	18		X	CONFLICT WITH PROPOSED PARKING
97	WILLOW	8		X	CONFLICT WITH PROPOSED PARKING
98	CHINABERRY	24		X	CONFLICT WITH PROPOSED PARKING
99	TALLOW	18		X	CONFLICT WITH PROPOSED BUILDING
100	HACKBERRY	7	X		
101	HACKBERRY	7	X		
102	HACKBERRY	10	X		
103	CHINABERRY	8	X		
104	WILLOW	6		X	CONFLICT WITH PROPOSED BUILDING
105	WILLOW	12		X	CONFLICT WITH PROPOSED BUILDING
106	PECAN	24		X	CONFLICT WITH PROPOSED BUILDING
107	PECAN	18		X	CONFLICT WITH PROPOSED BUILDING
108	HACKBERRY	10	X		
109	WILLOW	12		X	CONFLICT WITH PROPOSED PARKING
110	WILLOW	12		X	CONFLICT WITH PROPOSED PARKING
111	WILLOW	6		X	CONFLICT WITH PROPOSED PARKING
112	HACKBERRY	7	X		
113	HACKBERRY	7	X		
114	PECAN	10		X	CONFLICT WITH PROPOSED BUILDING
115	PECAN	8		X	CONFLICT WITH PROPOSED BUILDING
116	PECAN	10		X	CONFLICT WITH PROPOSED BUILDING
117	PECAN	12		X	CONFLICT WITH PROPOSED BUILDING
118	PECAN	12		X	CONFLICT WITH PROPOSED ROADWAY
119	PECAN	8		X	CONFLICT WITH PROPOSED ROADWAY
120	PECAN	15		X	CONFLICT WITH PROPOSED ROADWAY
121	PECAN	15		X	CONFLICT WITH PROPOSED ROADWAY
122	PECAN	15	X		
123	HACKBERRY	7	X		
124	PECAN	6	X		
125	PECAN	8	X		

NOTE: IN CASE OF CONFLICT BETWEEN DETAILS SHOWN ON THIS SHEET AND THE MISSOURI CITY, TEXAS DESIGN STANDARDS, THE MORE STRINGENT SHALL APPLY.

DATE	REVISION	BY

MISSOURI CITY, TEXAS
FORT BEND COUNTY, TEXAS

**BRAZOS LAKES
MASTER PLAN**

**TREE
PRESERVATION**

LJA Engineering Inc.
3920 Westmark Drive
2424 800
Houston, Texas 77042-3703
Phone: 713.953.1000
Fax: 713.953.1000
Toll-Free: 1-800-776-1138

LJA PROJECT NO.: 13000-XXXX-XXXX
DESIGNED BY: []
DRAWN BY: []
DATE: JUNE 2018
SHEET NO. X OF X SHEETS
CITY DWG NO.: TP-5
F B NO.

Project No. 13000-XXXX-XXXX, Master Plan, Tree Preservation, Brazos Lakes, Fort Bend County, Texas. Prepared by LJA Engineering Inc., 3920 Westmark Drive, Houston, Texas 77042-3703. Date: June 2018.

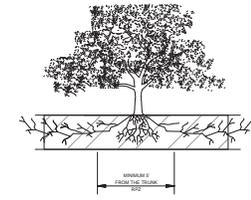
CITY OF MISSOURI CITY, TX - 13000-XXXX-XXXX



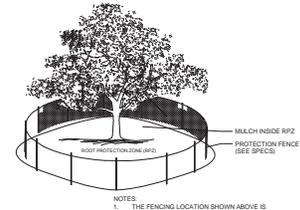
6/18/18

TREE PROTECTION SPECIFICATIONS

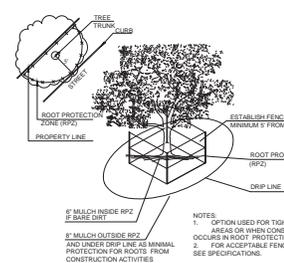
- MATERIALS**
- FABRIC: 4 FOOT HIGH ORANGE PLASTIC FENCING AS SHOWN ON THE PLANS AND SHALL BE WOVEN WITH 2 INCH MESH OPENINGS SUCH THAT IN A VERTICAL DIMENSION OF 23 INCHES ALONG THE DIAGONALS OF THE OPENINGS THERE SHALL BE AT LEAST 7 MESHES.
 - POSTS: POSTS SHALL BE A MINIMUM OF 72 INCHES LONG AND STEEL T SHAPES WITH A MINIMUM WEIGHT OF 1.3 POUNDS PER LINEAR FOOT.
 - WIRE: WIRE FOR ATTACHING THE FABRIC TO THE T-POSTS SHALL BE NOT LESS THAN NO. 12 GAUGE GALVANIZED WIRE.
 - USED MATERIALS: PREVIOUSLY USED MATERIALS MEETING THE ABOVE REQUIREMENTS AND WHEN APPROVED BY THE OWNER, MAY BE USED.
- CONSTRUCTION METHODS**
- ALL TREES AND SHRUBS SHOWN TO REMAIN WITHIN THE PROXIMITY OF THE CONSTRUCTION SITE SHALL BE PROTECTED PRIOR TO BEGINNING ANY DEVELOPMENT ACTIVITY.
 - EMPLOY THE SERVICES OF AN ISA (INTERNATIONAL SOCIETY OF ARBORICULTURE) CERTIFIED ARBORIST AND OBTAIN ALL REQUIRED PERMITS TO PRUNE THE EXISTING TREES FOR CLEANING, RAISING AND THINNING, AS MAY BE REQUIRED.
 - PROTECTIVE FENCING SHALL BE ERRECTED OUTSIDE THE CRITICAL ROOT ZONE (CRZ, EQUAL TO 1' FROM THE TRUNK) FOR EVERY 1" OF DBH AT LOCATIONS SHOWN IN THE PLANS OR AS DIRECTED BY THE LANDSCAPE CONSULTANT AND/OR CITY ARBORIST, AND IN ACCORDANCE WITH THE DETAILS SHOWN ON THE PLANS. FENCING SHALL BE MAINTAINED AND REPAIRED BY THE CONTRACTOR DURING SITE CONSTRUCTION. TREES IN CLOSE PROXIMITY SHALL BE FENCED TOGETHER, RATHER THAN INDIVIDUALLY.
 - PROTECTIVE FENCE LOCATIONS IN CLOSE PROXIMITY TO STREET INTERSECTIONS OR DRIVES SHALL ADHERE TO THE APPLICABLE JURISDICTIONS RIGHT OF WAY CRITERIA.
 - THE PROTECTIVE FENCING SHALL BE ERRECTED BEFORE SITE WORK COMMENCES AND SHALL REMAIN IN PLACE DURING THE ENTIRE CONSTRUCTION PHASE.
 - THE INSTALLATION POSTS SHALL BE PLACED EVERY 6 FEET ON CENTER AND EMBEDDED TO 18 INCHES DEEP. MESH FABRIC SHALL BE ATTACHED TO THE INSTALLATION POSTS BY THE USE OF SUFFICIENT WIRE TIES TO SECURELY FASTEN THE FABRIC TO THE T-POSTS TO HOLD THE FABRIC IN A STABLE AND UPRIGHT POSITION.
 - WITHIN THE CRZ:
 - DO NOT CLEAR, FILL OR GRADE IN THE CRZ OF ANY TREE.
 - DO NOT STORE, STOCKPILE OR DRAP ANY JOB MATERIAL, SOIL OR RUBBISH UNDER THE SPREAD OF THE TREE BRANCHES.
 - DO NOT PAIR OR STORE ANY EQUIPMENT OR SUPPLIES UNDER THE TREE CANOPY.
 - DO NOT SET UP ANY CONSTRUCTION OPERATIONS UNDER THE TREE CANOPY (SUCH AS PIPE CUTTING AND THREADING, MORTAR MIXING, PAINTING OR LUMBER CUTTING).
 - DO NOT NAIL OR ATTACH TEMPORARY SIGNS, METERS, SWITCHES, WIRES, BRACING OR ANY OTHER ITEM TO THE TREES.
 - DO NOT PERMIT TRIPPOFF FROM WASTE MATERIALS INCLUDING SOLVENTS, CONCRETE WASHOUTS, ASPHALT TACK COATS (M/C/S), ETC. TO ENTER THE CRZ. BARRIERS ARE TO BE PROVIDED TO PREVENT SUCH RUNOFF SUBSTANCES FROM ENTERING THE CRZ WHENEVER POSSIBLE, INCLUDING IN AN AREA WHERE RAIN OR SURFACE WATER COULD CARRY SUCH MATERIALS TO THE ROOT SYSTEM OF THE TREE.
 - ROUTE UNDERGROUND UTILITIES TO AVOID THE CRZ. IF DIGGING IS UNAVOIDABLE, BORE UNDER THE ROOTS, OR HAND DIG TO AVOID SERVING THEM.
 - WHEN EXCAVATION IN THE VICINITY OF TREES MUST OCCUR, SUCH AS FOR IRRIGATION INSTALLATION, PROCEED WITH CAUTION, AND USING HAND TOOLS ONLY.
 - THE CONTRACTOR SHALL NOT CUT ROOTS LARGER THAN ONE INCH IN DIAMETER WHEN EXCAVATION OCCURS NEAR EXISTING TREES. ALL ROOTS LARGER THAN ONE INCH IN DIAMETER ARE TO BE CUT CLEANLY. FOR OAKS ONLY, ALL WOUNDS SHALL BE PAINTED WITH WOUND SEALER WITHIN 30 MINUTES.
 - REMOVE ALL TREES, SHRUBS OR BUSHES TO BE CLEARED FROM PROTECTED ROOT ZONE AREAS BY HAND.
 - TREES DAMAGED OR KILLED DUE TO CONTRACTOR'S NEGLIGENCE DURING CONSTRUCTION SHALL BE MITIGATED AT THE CONTRACTOR'S EXPENSE AND TO THE PROJECT OWNER'S AND LOCAL JURISDICTIONS SATISFACTION.
 - ANY TREE REMOVAL SHALL BE APPROVED BY THE OWNER AND LOCAL JURISDICTION PRIOR TO ITS REMOVAL, AND THE CONTRACTOR SHALL HAVE ALL REQUIRED PERMITS FOR SUCH ACTIVITIES.
 - COVER EXPOSED ROOTS AT THE END OF EACH DAY WITH SOIL, MULCH OR WET BURLAP.
 - IN CRITICAL ROOT ZONE AREAS THAT CANNOT BE PROTECTED DURING CONSTRUCTION AND WHERE HEAVY TRAFFIC IS ANTICIPATED, COVER THE SOIL WITH SEVEN INCHES OF ORGANIC MULCH TO MINIMIZE SOIL COMPACTION. THIS EIGHT INCH DEPTH OF MULCH SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
 - WATER ALL TREES IMPACTED BY CONSTRUCTION ACTIVITIES, DEEPLY ONCE A WEEK DURING PERIODS OF HOT DRY WEATHER. SPRAY TREE CROWNS WITH WATER PERIODICALLY TO REDUCE DUST ACCUMULATION ON THE LEAVES.
 - WHEN INSTALLING CONCRETE ADJACENT TO THE ROOT ZONE OF A TREE, USE A PLASTIC VAPOR BARRIER BEHIND THE CONCRETE TO PREVENT LEACHING OF LIME INTO THE SOIL.
 - CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL TREE PROTECTION FENCING WHEN ALL THREATS TO THE EXISTING TREES FROM CONSTRUCTION-RELATED ACTIVITIES HAVE BEEN REMOVED.



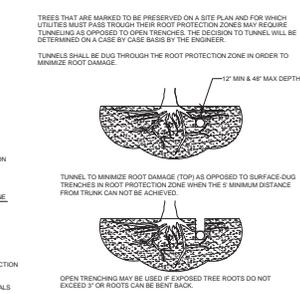
A TREE PROTECTION FENCE - ELEVATION
SCALE: NOT TO SCALE



B TREE PROTECTION FENCE
SCALE: NOT TO SCALE



C TREE PROTECTION FENCE - LEVEL 2
SCALE: NOT TO SCALE



D BORING THROUGH ROOT PROTECTION ZONE
SCALE: NOT TO SCALE

NOTES:

- THE FENCING LOCATION SHOWN ABOVE IS DIAGRAMATIC ONLY AND WILL CONFORM TO THE DRP-LINE AND BE LIMITED TO PROJECT BOUNDARY. WHERE MULTIPLE ADJACENT TREES WILL BE ENCLOSED BY FENCING, THE FENCING SHALL BE CONTIGUOUS AROUND ALL TREES.
- FOR ACCEPTABLE FENCING MATERIALS SEE SPECIFICATIONS.

TREES THAT ARE MARKED TO BE PRESERVED ON A SITE PLAN AND FOR WHICH UTILITIES MUST PASS THROUGH THEIR ROOT PROTECTION ZONES MAY REQUIRE TUNNELING AS OPPOSED TO OPEN TRENCHES. THE DECISION TO TUNNEL WILL BE DETERMINED ON A CASE BY CASE BASIS BY THE ENGINEER.

TUNNELS SHALL BE DUG THROUGH THE ROOT PROTECTION ZONE IN ORDER TO MINIMIZE ROOT DAMAGE.

TRENCHES IN ROOT PROTECTION ZONE WHEN THE 3" MINIMUM DISTANCE FROM TRUNK CAN NOT BE ACHIEVED.

OPEN TRENCHING MAY BE USED IF EXPOSED TREE ROOTS DO NOT EXCEED 3" OR ROOTS CAN BE BENT BACK.

IN CASE OF CONFLICT BETWEEN DETAILS SHOWN ON THIS SHEET AND THE MISSOURI CITY, TEXAS DESIGN STANDARDS, THE MORE STRINGENT SHALL APPLY.

DATE	REVISION	BY

MISSOURI CITY
FORT BEND COUNTY, TEXAS

**BRAZOS LAKES
MASTER PLAN**

**TREE PRESERVATION
NOTES & DETAILS**

LJA Engineering Inc.
2522 Westmark Drive
Suite 400
Houston, Texas 77042-3703
Phone: 713.953.2000
Fax: 713.953.2000
Toll-Free: 1-800-779-1138

LJA PROJECT NO.: XXXX-XXXX-XXX
DESIGNED BY: JH
DRAWN BY: JH
DATE: JUNE 2018
SHEET NO. X OF X SHEETS
CITY DWG NO.: TP-6
F B NO.

Project Name: Brazos Lakes Master Plan - Tree Preservation
 Project No.: XXXX-XXXX-XXX
 Drawing No.: TP-6
 Date: June 2018
 Scale: As Shown
 Author: JH
 Checker: JH
 Engineer: JH
 City of Missouri City, Texas - Fort Bend County

ORDINANCE NO. O-18-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 24.45 ACRES OF LAND FROM LC-3 RETAIL DISTRICT TO PD PLANNED DEVELOPMENT DISTRICT NO. 106; DESCRIBING SAID 24.45 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, Golden Power Capital, LLC, is the owner of approximately 22.45 acres of land and Ming & Shu Development, LLC, is the owner of approximately 2.0 acres of land for a total of approximately 24.45 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 LC-3 retail district under Ordinance No. O-84-45, adopted on June 18, 1984; and

WHEREAS, the owner's agent, Justin A. Schrader of LJA, has made application to the City of Missouri City to change the zoning classification of the Property from LC-3 retail district to PD Planned Development District 106; 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 LC-3 retail district to PD Planned Development District No. 106. The Property can be described as being the property described in Exhibit “A”, 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” conflicts with Exhibit “A-1”, Exhibit “A” shall prevail.

Section 4. The planned development district shall be developed in accordance with the Missouri City Code, including the City of Missouri City Zoning Ordinance, and shall be developed 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.** The planned development district may include residential and commercial uses. Improvements to the site shall be designed to enhance the overall urban design and nature of the surrounding area.
- B. 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 uses are allowed:

1. LC-3 retail district uses.
2. Townhouse residential unit uses.
3. Condominium residential unit uses as described below:
 - a. **Phase 1:** At least 50 percent of the condominium residential unit uses constructed in Phase 1 shall be restricted to residents at least 55 years of age, provided that the owner, manager, operator, or agent of such uses shall provide the Missouri City director of development services with verification of the age of residents at least annually in a manner acceptable under the Housing for Older Persons Act, as such act may be amended from time to time. The remaining 50 percent of the condominium residential unit uses constructed in Phase 1 are not required to be restricted to residents at least 55 years of age.
 - b. **Phase 2:** Except as provided herein, in Phase 2, condominium residential unit uses shall be restricted to residents at least 55 years of age. In Phase 2, condominium residential unit uses are not required to be restricted to residents at least 55 years of age if the market demand, as determined by an independent market study of condominium residential unit uses constructed on the Property in Phase 1, for condominium residential unit uses that are not restricted to residents at least 55 years of age on the Property is greater than the market demand for condominium residential unit uses restricted to residents at least 55 years of age.

C. Height and area regulations. The following height and area regulations shall apply.

1. *LC-3 retail district uses:* The height and area regulations set forth in set forth in Subsection 7.12, LC-3 retail district, of the City of Missouri City Zoning Ordinance shall apply to LC-3 retail district uses.
2. *Townhouse residential unit uses:* Except as provided herein, the height and area regulations contained in Subsection 7.6, R-5 townhouse residential district, of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit uses. The front, rear, and side yard; lot width; and lot area standards set forth in the site plan, Exhibit “B,” are allowed.
3. *Condominium residential unit uses:* Except as provided herein, the height and area regulations contained in Subsection 7.7, R-6 condominium residential district, of the City of Missouri City Zoning Ordinance shall apply to condominium residential unit uses. The height of a building or structure for a condominium residential unit use shall not exceed the height restrictions for a building or structure located in an LC-3 retail district as set forth in Subsection 7.12, LC-3 retail district, of the City of Missouri City Zoning Ordinance.

D. Building regulations. The building regulations contained in Subsection 7.12, LC-3 retail district, of the City of Missouri City Zoning Ordinance shall apply to all buildings and structures constructed in PD Planned Development District No. 106.

E. Architectural standards. Except as provided 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. All townhouse residential unit use buildings and structures shall be constructed in compliance with the architectural standards of Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance.
2. The primary material for the exterior of all buildings and structures shall consist of brick. The same brick material shall be used throughout the planned development district.
3. Accent materials for the exterior of all buildings and structures may include the following:
 - a. Calcium silicate smooth masonry unit;
 - b. Modular face brick, blend sunset or similar;
 - c. Senerflex classic PB Wall System by “Senergy” with Perma-Lath

- reinforcing mesh and weatherproof base and finish coats;
 - d. Exterior storefront and glass wall systems (aluminum, clear, anodized frames with one-fourth ($\frac{1}{4}$) of an inch thick tinted vision glass; one-fourth ($\frac{1}{4}$) of an inch thick tinted spandrel glass, and aluminum doors and sidelites); and
 - e. Clear, anodized extruded aluminum and one-fourth ($\frac{1}{4}$) of an inch thick tinted vision glass.
 - 4. Rainwater systems and equipment are not required to meet the architectural design standards set forth in Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance, provided that such systems and equipment shall be constructed as depicted in Exhibit "C".
 - 5. At least one garage with square footage sufficient to house a minimum of two seven-foot by 18-foot automobiles in addition to normal yard maintenance equipment is not required for each condominium unit.
- F. **Garage.** Except as provided herein, the garage regulations set forth in Section 9.8 of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit and condominium residential unit uses.
 - 1. The parking depicted and described in the site plan, Exhibit "B", is allowed as depicted and described.
- G. **Trash disposal regulations.** Except as provided herein, the trash disposal regulations contained in Subsection 9.14, Trash disposal regulations, of the City of Missouri City Zoning Ordinance shall apply.
 - 1. *LC-3 retail district uses:* The trash disposal regulations for nonresidential zones, specifically, LC-3 retail districts, shall apply to LC-3 retail district uses.
 - 2. *Townhouse residential unit and condominium residential unit uses:* The trash disposal regulations for residential zones, specifically, R-5 townhouse residential and R-6 condominium residential districts, shall apply to townhouse residential unit and condominium residential unit uses, respectively.
- H. **Portable storage unit regulations.** The portable storage unit regulations contained in Section 9.15, Portable storage unit regulations in suburban and residential districts, of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit and condominium residential unit uses.
- I. **Outside placement, storage, sales and services regulations.** Outside placement, storage, sales and services of materials, merchandise, and equipment are prohibited.

J. Landscaping regulations. Except as provided herein, the landscaping, screening, and buffer yard regulations for R-5 townhouse residential districts, R-6 condominium residential districts, and LC-3 retail district uses, as applicable, contained in Section 11, Landscaping, of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit uses, condominium residential unit uses, and LC-3 retail district uses, respectively.

1. The landscaping, screening, and buffer yards depicted and described in the landscaping plan, Exhibit "D", are allowed as depicted and described.
2. There shall be a greenbelt of 30 feet adjacent to all property lines. Buildings, streets and parking may be built immediately adjacent to the greenbelt. There shall be a yard of 15 feet between buildings and private streets, driveways and parking areas. Steps, unenclosed porches, fences, patios or courts are allowed in yards. The developer shall have the option to provide the greenbelt or an equivalent green area within the development in addition to all required yards.

K. Parking regulations. Except as provided herein, the parking regulations contained in Section 12, Parking Regulations, of the City of Missouri City Zoning Ordinance shall apply.

1. The parking depicted and described in the site plan, Exhibit "B", is allowed as depicted and described.

L. Sign regulations.

1. *LC-3 retail district uses.* The sign regulations for nonresidential zoning districts contained in Section 13, Sign Regulations, of the City of Missouri City Zoning Ordinance shall apply to LC-3 retail district uses.
2. *Townhouse and condominium residential unit uses.* The sign regulations for residential zoning districts contained in Section 13, Sign Regulations, of the City of Missouri City Zoning Ordinance shall apply to townhouse residential unit and condominium residential unit uses.

M. Fence regulations.

1. *LC-3 retail district uses.* The fence regulations contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance for LC-3 retail districts shall apply to LC-3 retail district uses.
2. *Townhouse residential unit uses.* The fence regulations contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance for R-5 townhouse residential districts shall apply to townhouse residential unit uses.

3. *Condominium residential unit uses.* The fence regulations contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance for R-6 condominium residential districts shall apply to condominium residential unit uses.

N. Amenities. A multipurpose clubhouse and large meeting room shall be constructed in accordance with the development schedule provided for by Section 4.**PQ** of this Ordinance.

O. Performance Standards.

1. Noise.

- a. Buildings occupied by LC-3 retail district uses shall incorporate interior acoustical treatments that minimize sound outside of such buildings.
- b. Except as provided herein, the amplification of sound outside of buildings and structures after 10:00 pm on Sundays through Thursdays and after 11:00 pm on Fridays and Saturdays is prohibited. Sound emanating from restaurant drive-through speakers is allowed.

P. Minor Modifications. The following minor modifications are allowed provided that such modifications shall be reviewed for compliance with the Missouri City Code and this Ordinance and approved by the city manager or his designee as evidenced by a memorandum filed by the city manager or his designee with the city secretary:

1. Modifications to internal street patterns are allowed.
2. Modifications to the total acreage provided for each use district set forth in Exhibit "B" are allowed, provided that such modifications, or a series of such modifications, shall not result in a net increase of 10 percent or more or in a net decrease of 10 percent or more in the acreage for such use.

PQ. 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. The planned development shall be developed in two phases as follows:

1. *Phase 1:* Phase 1 shall commence on the date on which this Ordinance becomes effective. Construction of a minimum of 103,200 square feet of one or more buildings designated for LC-3 retail district uses in compliance with this Ordinance shall be completed before or contemporaneously with the submission of an application for a certificate of zoning compliance for any townhouse residential unit or condominium

residential unit uses. A maximum of ~~___~~122 residential units may be constructed in Phase 1. Construction of the multipurpose clubhouse required by Subsection 4.N shall be completed in compliance with this Ordinance before or contemporaneously with the submission of an application for a building permit for residential units in Phase 2.

2. *Phase 2:* Phase 2 shall commence after the date on which: (a) the construction of all of Phase ~~1~~ residential units are completed; (b) the developer certifies that the occupancy level for the dwelling units constructed in Phase 1 is ~~___~~70 percent; and (c) the developer certifies that ~~the ___~~70 percent of the total square footage of commercial development constructed in Phase 1 is occupied. Construction of a minimum of ~~_____~~103,200 square feet of one or more new buildings designated for LC-3 retail district uses, which shall be in addition to the existing buildings designated for LC-3 retail district uses constructed in Phase 1, shall be completed before or contemporaneously with the submission of an application for zoning compliance for any additional residential units to be constructed in Phase 2. ~~Construction of the multipurpose clubhouse required by Subsection 4.N shall be completed in compliance with this Ordinance before or contemporaneously with the submission of an application for a building permit for residential units in Phase 2.~~

Section 5. The Zoning District Map of the City of Missouri City shall be revised and amended to show the zoning classification of the Property 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 Ordinance No. O-84-45, adopted by the City Council of the City of Missouri City on June 18, 1984, 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

Document comparison by Workshare 9.5 on Thursday, August 16, 2018
12:23:31 PM

Input:	
Document 1 ID	file://W:\Legal Department\Zoning\Zoning Map Amendments\2018\Brazos Lakes PD\Brazos Lakes PD 2018.DOC
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Document 2 ID	W:\Legal Department\Zoning\Zoning Map Amendments\2018\Brazos Lakes PD\Brazos Lakes PD 2018.08.16.DOC
Description	W:\Legal Department\Zoning\Zoning Map Amendments\2018\Brazos Lakes PD\Brazos Lakes PD 2018.08.16.DOC
Rendering set	Standard

Legend:	
	<u>Insertion</u>
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	Moved from
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	Style change
	Format change
	Moved deletion
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
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Moved to	1
Style change	0

Format changed	0
Total changes	30



**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:	Brazos Lakes Mixed Use Development					
2. Address/Location of Property:	South of U.S. Hwy 16 near Oilfield Rd.					
3. Applicant's Name:	Justin A. Schrader					
Mailing Address:	1904 N. Grand Pkwy, Katy, TX 77449					
Phone No.:	(713) 953-5232					
Email:	jschrader@LJA.com					
4. Status of Applicant:	Owner	<input checked="" type="radio"/> Agent	Attorney	Trustee	Corporation	Relative
(If other than Owner, submit written authorization from Owner with application.)						
5. Property Owner:	T.M. Chen & Kah K. Tan					
Mailing Address:	11650 Hwy 16 Sugar Land, TX 77478					
Phone No.:	(281) 340-4116					
Email:	kahte.kw.com					
6. Existing Zoning District:	LC-3					
7. Total Acreage:	24.448 AC					
8. Proposed Development and Reasons for Application:	Mixed Use (Commercial, Residential, etc.) PD application					
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.):	See metes and bounds attached.					
10. Central Appraisal District tax identification numbers of property (Attach Paid Tax Receipts):	See tax statements attached					
11. Do deed restrictions or restrictive covenants exist for the property? (Circle One):	YES	<input checked="" type="radio"/> NO				
(If yes, submit with application.)						
12. Does this application include an Architectural Design Review: (Circle One):	<input checked="" type="radio"/> YES	NO				
(If yes, see page 8, Exhibit C for materials required to be submitted.)						
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.

Justin A. Schrader, PE
Print Name of Applicant

Kah K. Tan
Print Name of Property Owner

Justin A. Schrader, PE
Signature of Applicant

[Signature]
Signature of Property Owner, Agent or Attorney

To Whom It May Concern.

This is to certify that I under signed authorize Mr. Kah K. Tan to represent my companies, the Ming and Su Development LLC and Golden Power Holding, Inc., to apply the PD Zoning of Brazos Lakes Development from Missouri City.

 7/18/2018

Tie Ming Chen,
1715, Shoreline Drive,
Missouri City, Tx 77458.

STOA



BRAZOS LAKE - HIGHWAY 6 - COMMERCIAL RESIDENTIAL
MIX-USE DEVELOPMENT MASTER PLAN | MISSOURI CITY, TEXAS
STOA INTERNATIONAL ARCHITECTS | M.BOLULLO R.A. DESIGN ARCHITECT

**BRAZOS LAKE – HIGHWAY 6
MIXED-USE RESIDENTIAL / COMMERCIAL DEVELOPMENT
MISSOURI CITY, TEXAS**

DEVELOPMENT DESCRIPTION:

IN THE LAST DECADE, THE CONCEPT OF MIXED-USE HAS BEEN THE MAIN FOCUS OF DEVELOPMENTS IN MANY COMMUNITIES THROUGHOUT THE HOUSTON AREA. THE NEW DEMAND FOR STRONG IDENTITY AND LOCAL PARTICIPATION IN THE ECONOMIC DEVELOPMENT IN THE MARKET PLACE, REQUIRES, ALSO, A DESTINATION POINT.

THIS DEVELOPMENT PROPOSES A COMBINATION OF FUNCTIONS AND USERS THAT SUPPORTS EACH OTHER AND ESTABLISHES THAT FOCAL POINT AND IS THE COMBINATION OF THE RESIDENTIAL BUILDINGS AND TOWNHOMES, AND THE COMMERCIAL PLAZA.

ALSO THE CREATION OF SPACES WITH ATTENTION TO DETAILS AND QUALITY MATERIALS TO OFFER AN INTIMATE AND BALANCE ENVIRONMENT. RETAIL SHOPS, RESTAURANTS, CAFES, LOUNGES, RECREATION AND OPEN TERRACES WILL COMPLEMENT THE INDIVIDUAL IDENTITIES REQUIRED BY THE DEVELOPMENT, AND INTEGRATING FUNCTIONS WITH THE ENVIRONMENT. VISITORS WILL BE PROVIDED WITH A RELAXED AND OPEN VIEWS ATMOSPHERE, EXTENDED THROUGH A LANDSCAPED COMBINATION OF COURTYARDS AND TERRACES.

AT THE GROUND FLOOR LANDSCAPED OPEN MALL THE INDIVIDUAL SHOP STOREFRONTS COLLECTIVELY AND AS PART OF THE DESIGN INTENT WILL OFFER CONTIGUOUS CANOPY, LARGE TRANSPARENT EXTERIOR WALLS ALLOWING STRONG INDOOR AND OUTDOOR PARTICIPATION.

VERTICAL AND HORIZONTAL POINTS OF ACCESS TO MULTI ACTIVITIES, ALSO DIRECTED TO THE UPPER LEVELS.

DUE TO THE REQUIREMENTS OF THE SITE IN ORDER TO WATER-RETENTION CONTROL, MANAGEMENT AND SITE SUSTAINABILITY, THE DESIGN PROPOSES A SERIES OF RAINWATER RECOVERY SYSTEMS, GREEN ROOF TERRACES AND THE GROUND FLOOR OPEN MALL, PLAZAS AND COURTYARDS, WILL ALLOW THE WATER TO BE COLLECTED AND RE-ROUTED ACCORDING TO THE PARTICULAR AND CIRCUMSTANTIAL DEMANDS.

THIS GREEN DESIGN WILL BE IMPLEMENTED AS THE DEVELOPMENT PROGRESSES WITH THE RESIDENTIAL AND COMMERCIAL BUILDINGS.

MARIO BOLULLO, R.A.
DESIGN ARCHITECT



RESIDENTIAL



COMMERCIAL



BRAZOS LAKE - HIGHWAY 6 - COMMERCIAL RESIDENTIAL
 MIX-USE DEVELOPMENT MASTERPLAN | CONCEPT DESIGN
 MISSOURI CITY, TEXAS - FORT BEND COUNTY
 STGA INTERNATIONAL ARCHITECTS
 MARIO BOLLULLO R.A. - DESIGN ARCHITECT
 CYNTHIA RAMIREZ - ASSISTANT PM
 MASTER PLAN - GROUND FLOOR
 SCALE: 1" = 100'-0"



BRAZOS LAKE - HIGHWAY 6 - COMMERCIAL RESIDENTIAL
 MIX-USE DEVELOPMENT MASTERPLAN | CONCEPT DESIGN
 MISSOURI CITY, TEXAS - FORT BEND COUNTY
 STGA INTERNATIONAL ARCHITECTS
 MARIO BOLLULLO R.A. - DESIGN ARCHITECT
 CYNTHIA RAMIREZ - ASSISTANT PM
 MASTER PLAN - UPPER FLOORS
 SCALE: 1" = 100'-0"



BRAZOS LAKE - HIGHWAY 6 - COMMERCIAL RESIDENTIAL
MIX-USE DEVELOPMENT MASTERPLAN | CONCEPT DESIGN
MISSOURI CITY, TEXAS - FORT BEND COUNTY
STGA INTERNATIONAL ARCHITECTS
MARIO BOLLULLO R.A. - DESIGN ARCHITECT



RESIDENTIAL BUILDINGS 'A' & 'B'
SIDE ELEVATION
SCALE: 1" = 20'-0"

CYNTHIA RAMIREZ - ASSISTANT PM

RESIDENTIAL TOWNHOMES
SIDE ELEVATION
SCALE: 1" = 20'-0"

BRAZOS LAKE - HIGHWAY 6 - COMMERCIAL RESIDENTIAL
MIX-USE DEVELOPMENT MASTERPLAN | CONCEPT DESIGN
MISSOURI CITY, TEXAS - FORT BEND COUNTY
STGA INTERNATIONAL ARCHITECTS
MARIO BOLLULLO R.A. - DESIGN ARCHITECT



RESIDENTIAL BUILDING 'A'
SIDE ELEVATION
SCALE: 1" = 20'-0"
CYNTHIA RAMIREZ - ASSISTANT PROJECT MANAGER

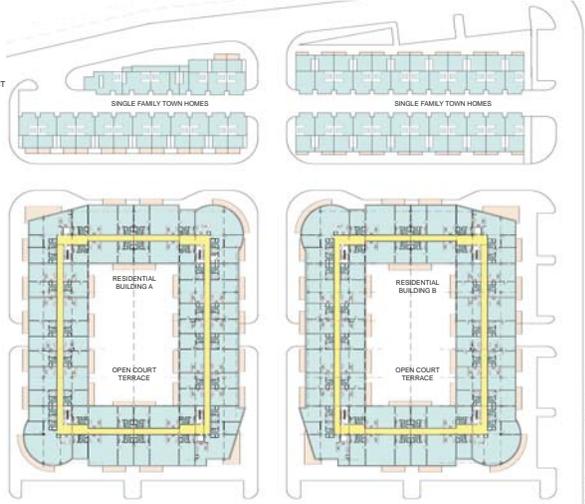
RESIDENTIAL BUILDING 'B'
SIDE ELEVATION
SCALE: 1" = 20'-0"

BRAZOS LAKE - HIGHWAY 6
 MIX-USE DEVELOPMENT MASTERPLAN
 CONCEPT DESIGN
 MISSOURI CITY, TEXAS
 FORT BEND COUNTY
 STOA INTERNATIONAL ARCHITECTS
 MARIO BOLLUJO P.L.A. - DESIGN ARCHITECT
 CYNTHIA RAMIREZ - ASSISTANT PM



PHASE I - RESIDENTIAL
 GROUND FLOOR PLAN
 BUILDINGS A & B
 SCALE: 1" = 50'-0"

BRAZOS LAKE - HIGHWAY 6
 MIX-USE DEVELOPMENT MASTERPLAN
 CONCEPT DESIGN
 MISSOURI CITY, TEXAS
 FORT BEND COUNTY
 STOA INTERNATIONAL ARCHITECTS
 MARIO BOLLUJO P.L.A. - DESIGN ARCHITECT
 CYNTHIA RAMIREZ - ASSISTANT PM



PHASE I - RESIDENTIAL
 UPPER FLOOR PLAN
 BUILDINGS A & B
 SCALE: 1" = 20'-0"

BRAZOS LAKE - HIGHWAY 6
COMMERCIAL - RESIDENTIAL
MIXED-USE DEVELOPMENT
MISSOURI CITY, TEXAS

ARCHITECTURAL PROGRAMMING:

PHASE 1 - RESIDENTIAL:

A TOTAL OF 168 SUITES WILL BE PROVIDED IN TWO BUILDINGS, 'A' AND 'B' WITH 80 AND 88 SENIOR CONDOMINIUM UNITS, DISTRIBUTED IN A THREE, FOUR, AND FIVE FLOOR LEVELS, AND ON TOP OF A ONE LEVEL PARKING STRUCTURE PARTIALLY UNDERGROUND AND COVERED WITH A LANDSCAPED PARKING ROOF TERRACE.

BUILDING "A" SUITE TYPES:

TYPE ST - A1 - 1 BEDROOM - 32 U. @ 980 SF./EA. = 31,360 SF. NET.
TYPE ST - A2 - 2 BEDROOM - 16 U. @ 1,260 SF./EA. = 20,160 SF. NET.
TYPE ST - A3 - 2 BEDROOM - 16 U. @ 1,330 SF./EA. = 21,320 SF. NET.
TYPE ST - A4 - 2 BED. + DEN - 8 U. @ 1,420 SF./EA. = 11,360 SF. NET.
TYPE ST - A5 - 3 BEDROOM - 8 U. @ 1,480 SF./EA. = 11,840 SF. NET.
TOTAL BUILDING NET LIVING AREA = 80 UNITS = 95,840 SF. NET.

BUILDING SUPPORT AREAS:

CORRIDORS = 3 LEVELS @ 3,600 SF. (1ST TO 3RD) = 10,800 SF.
= 1 LEVEL @ 2,800 SF. (4TH) = 2,800 SF.
= 1 LEVEL @ 800 SF. (5TH) = 800 SF.
STAIRS @ 195 SF./EA. = 4 LEVELS @ 4 = (1ST TO 4TH) = 3,120 SF.
= 1 LEVEL @ 2 = (5TH) = 390 SF.
ELEVATOR LOBBY = 2 @ 600 SF/EA. = 1,200 SF.
UTILITY ROOMS = 5 @ 120 SF/EA. = 600 SF.
TOTAL SUPPORT AREAS = 15,710 SF.

TOTAL BUILDING GROSS FLOOR AREA:

= 115,550 SF.

SUITE TYPE DISTRIBUTION:

LEVEL:	TYPE	ST-1	ST-2	ST-3	ST-4	ST-5	
FIRST	TYPE	8	4	4	2	2	= 20 U.
SECOND	TYPE	8	4	4	2	2	= 20 U.
THIRD	TYPE	8	4	4	2	2	= 20 U.
FOURTH	TYPE	8	2	2	1	1	= 14 U.
FIFTH	TYPE	2	2	2	1	1	= 8 U.
TOTAL:	TYPE	32	16	16	8	8	= 80 U.

BUILDING "B" SUITE TYPES:

TYPE ST - B1 - 1 BEDROOM - 40 U. @ 980 SF./EA. = 39,200 SF. NET.
TYPE ST - B2 - 2 BEDROOM - 16 U. @ 1,260 SF./EA. = 20,160 SF. NET.
TYPE ST - B3 - 2 BEDROOM - 16 U. @ 1,320 SF./EA. = 21,120 SF. NET.
TYPE ST - B4 - 2 BED. + DEN - 8 U. @ 1,420 SF./EA. = 11,360 SF. NET.
TYPE ST - B5 - 3 BEDROOM - 8 U. @ 1,480 SF./EA. = 11,840 SF. NET.
TOTAL BUILDING NET LIVING AREA = 88 UNITS = 103,680 SF. NET.

BUILDING SUPPORT AREAS:

CORRIDORS = 3 LEVELS @ 3,600 SF. (1ST TO 3RD) = 10,800 SF.
= 1 LEVEL @ 3,080 SF. (4TH) = 3,080 SF.
= 1 LEVEL @ 800 SF. (5TH) = 800 SF.
STAIRS @ 195 SF./EA. = 4 LEVELS @ 4 = (1ST TO 4TH) = 3,120 SF.
= 1 LEVEL @ 2 = (5TH) = 390 SF.
ELEVATOR LOBBY = 1 LEVEL @ 2 = (5TH) = 390 SF.
UTILITY ROOMS = 2 @ 600 SF/EA. = 1,200 SF.
TOTAL SUPPORT AREAS = 5 @ 120 SF/EA. = 600 SF.
= 19,970 SF.

TOTAL BUILDING GROSS FLOOR AREA:

= 123,670 SF.

SUITE TYPE DISTRIBUTION:

LEVEL:	TYPE	ST-1	ST-2	ST-3	ST-4	ST-5	
FIRST	TYPE	10	4	4	2	2	= 22 U.
SECOND	TYPE	10	4	4	2	2	= 22 U.
THIRD	TYPE	10	4	4	2	2	= 22 U.
FOURTH	TYPE	10	2	2	1	1	= 16 U.
FIFTH	TYPE	2	2	2	1	1	= 8 U.
TOTAL:	TYPE	40	16	16	8	8	= 88 U.

RESIDENTIAL ADMINISTRATION OFFICE AND MULTI-PURPOSE CLUB HOUSE:

BUILDING LOCATED AT THE NORTHWEST CORNER OF THE SITE AND FRONTING HIGHWAY 6.

GROUND FLOOR = 5,400 SF. TO INCLUDE: ENTRY HALL; RESTROOMS; KITCHEN/SERVARY; MULTI-PURPOSE HALL; LARGE MEETING ROOM.

SECOND FLOOR = 2,000 SF. TO INCLUDE THE MANAGEMENT OFFICE.

SURFACE PARKING PROVIDE FOR 30 CARS @ 380 SF./C = 11,400 SF.



RESIDENTIAL BUILDINGS A & B - PERSPECTIVE VIEW
BRAZOS LAKE - HIGHWAY 6 - MIX-USE DEVELOPMENT MASTERPLAN - CONCEPT DESIGN
STCA INTERNATIONAL ARCHITECTS | MARKO BOLLULO R.A. DESIGN ARCHITECT

BRAZOS LAKE - HIGHWAY 6
MIX-USE DEVELOPMENT MASTERPLAN
CONCEPT DESIGN
MISSOURI CITY, TEXAS
FORT BEND COUNTY
STOA INTERNATIONAL ARCHITECTS
MARIO ROSILLO P.L.A. - DESIGN ARCHITECT
CYNTHIA RAMIREZ - ASSISTANT PM



RESIDENTIAL BUILDINGS "A" & "B"
LONGITUDINAL SECTION
SCALE: 1" = 20'-0"

RESIDENTIAL TOWNHOMES
CROSS SECTION
SCALE: 1" = 20'-0"

BRAZOS LAKE - HIGHWAY 6
MIX-USE DEVELOPMENT MASTERPLAN
CONCEPT DESIGN
MISSOURI CITY, TEXAS
FORT BEND COUNTY
STOA INTERNATIONAL ARCHITECTS
MARIO BOLLULO P.A. - DESIGN ARCHITECT
CYNTHIA RAMIREZ - ASSISTANT PM



RESIDENTIAL BUILDINGS 'A'
CROSS SECTION
SCALE: 1" = 20'-0"

RESIDENTIAL BUILDINGS 'B'
CROSS SECTION
SCALE: 1" = 20'-0"

PARKING SPACES REQUIRED:

BUILDING 'A' REQUIRED:
1 BEDROOM UNIT = 32 @ 1.3 CARS/U. = 42
2 BEDROOM UNIT = 40 @ 2.0 CARS/U. = 80
3 BEDROOM UNIT = 8 @ 2.5 CARS/U. = 20
TOTAL: 142 CARS

PROVIDED:
PARKING STRUCTURE PARTIALLY UNDERGROUND:
100 CARS @ 340 SF./CAR = 34,000 SF
48 CARS AT GRADE @ 300 SF./CAR = 14,400 SF
TOTAL PROVIDED: 148 CARS

BUILDING 'B' REQUIRED:
1 BEDROOM UNIT = 40 @ 1.3 CARS/U. = 52
2 BEDROOM UNIT = 40 @ 2.0 CARS/U. = 80
3 BEDROOM UNIT = 8 @ 2.5 CARS/U. = 20
TOTAL: 152 CARS

PROVIDED:
PARKING STRUCTURE PARTIALLY UNDERGROUND:
100 CARS @ 340 SF./CAR = 34,240 SF
52 CARS AT GRADE @ 300 SF./CAR = 15,760 SF
TOTAL PROVIDED: 152 CARS

SINGLE FAMILY UNIT TOWNHOMES:

42 UNITS @ 720 SF./FLOOR AT 3 FLOORS = 2,160 SF. PER UNIT
TOTAL: 42 U. @ 2,160 SF./U.A. = 90,720 SF.

UNIT DESCRIPTION:
FIRST FLOOR: ENTRY HALL / DEN / TOILET & LAUNDRY / TWO CAR GARAGE
SECOND FLOOR: LIVING ROOM / DINING ROOM / KITCHEN/FAMILY ROOM
THIRD FLOOR: MASTER BEDROOM + CLOSET & BATHROOM
TWO BEDROOMS + CLOSETS & BATHROOM

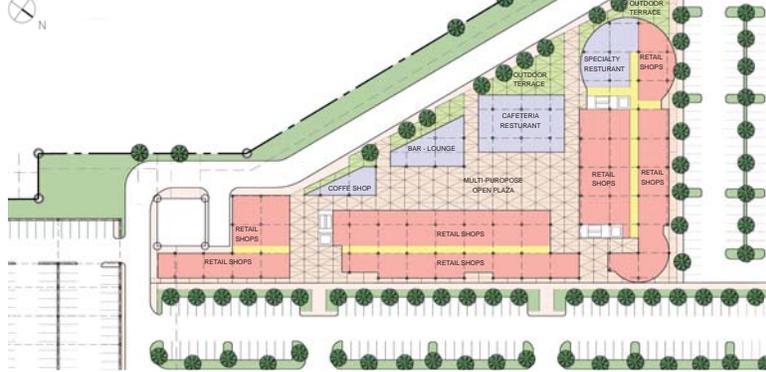
ADDITIONAL 21 CARS AT GRADE FOR VISITORS AND EXTRA SPACES
TOTAL DEVELOPMENT RESIDENTIAL UNITS = 210 SUITES AND HOUSES



RESIDENTIAL TOWN-HOMES - PERSPECTIVE VIEW
BRAZOS LAKE - HIGHWAY 6 MIX-USE DEVELOPMENT MASTERPLAN - CONCEPT DESIGN
STOA INTERNATIONAL ARCHITECTS | MARIO BOLLUO P.A. DESIGN ARCHITECT

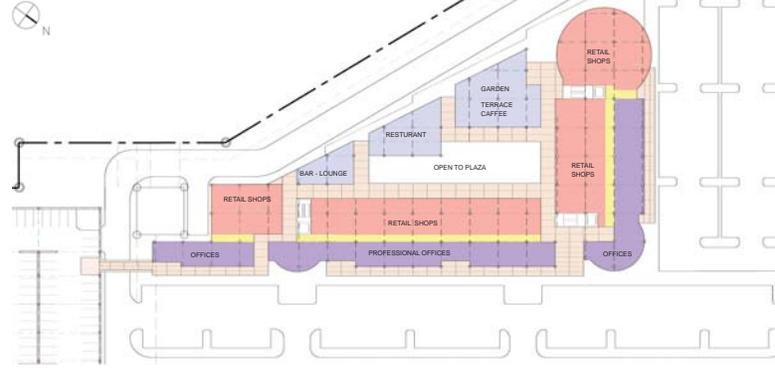
BRAZOS LAKE - HIGHWAY 6
 MIX-USE DEVELOPMENT MASTERPLAN
 CONCEPT DESIGN
 MISSOURI CITY, TEXAS - FORT BEND COUNTY
 STOA INTERNATIONAL ARCHITECTS
 MARIO BOLLILLO R.A. - DESIGN ARCHITECT
 CYNTHIA RAMIREZ - ASSISTANT PM

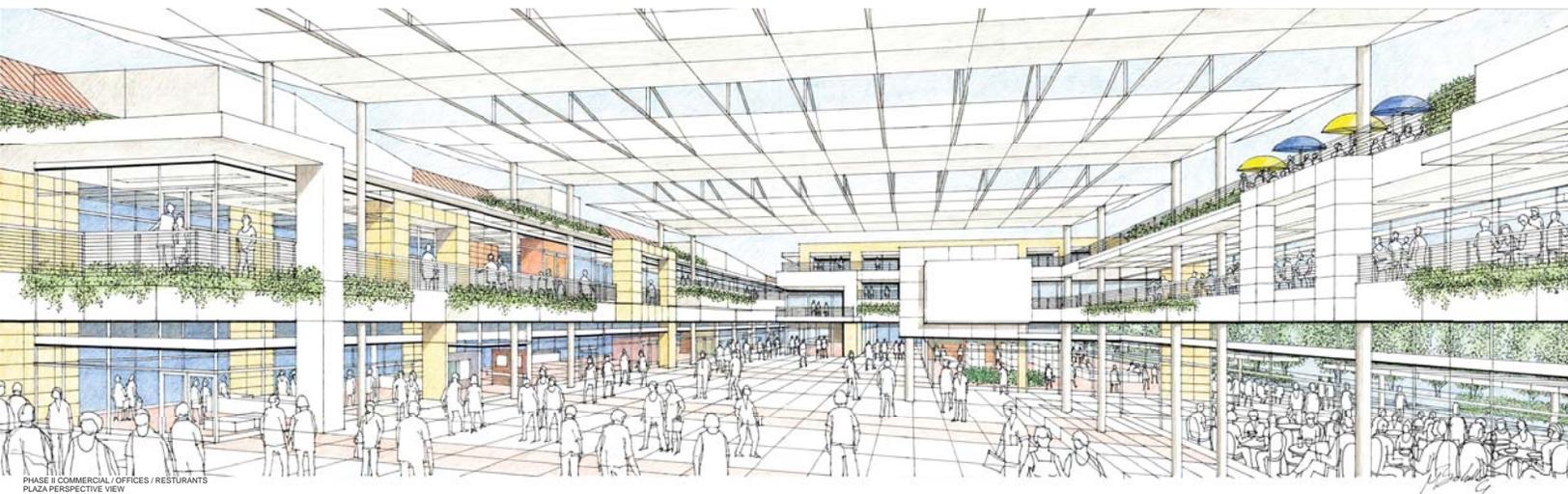
PHASE II COMMERCIAL
 GROUND FLOOR PLAN
 SCALE: 1" = 50'-0"



BRAZOS LAKE - HIGHWAY 6
 MIX-USE DEVELOPMENT MASTERPLAN
 CONCEPT DESIGN
 MISSOURI CITY, TEXAS - FORT BEND COUNTY
 STOA INTERNATIONAL ARCHITECTS
 MARIO BOLLILLO R.A. - DESIGN ARCHITECT
 CYNTHIA RAMIREZ - ASSISTANT PM

PHASE II COMMERCIAL
 UPPER FLOOR PLAN
 SCALE: 1" = 50'-0"





PHASE II COMMERCIAL / OFFICES / RESTURANTS
PLAZA PERSPECTIVE VIEW

BRAZOS LAKE - HIGHWAY 6 - COMMERCIAL RESIDENTIAL
MIX-USE DEVELOPMENT MASTERPLAN | CONCEPT DESIGN
MISSOURI CITY, TEXAS - FORT BEND COUNTY
STGA INTERNATIONAL ARCHITECTS
MARIO BOLLULLO R.A. - DESIGN ARCHITECT
CYNTHIA RAMIREZ - ASSISTANT PM



PHASE II - COMMERCIAL / OFFICES / RESTURANTS
NORTH - EAST ELEVATION
SCALE: 1" = 20'-0"

BRAZOS LAKE - HIGHWAY 6 - COMMERCIAL RESIDENTIAL
MIX-USE DEVELOPMENT MASTERPLAN | CONCEPT DESIGN
MISSOURI CITY, TEXAS - FORT BEND COUNTY
STGA INTERNATIONAL ARCHITECTS
MARIO BOLLULLO R.A. - DESIGN ARCHITECT
CYNTHIA RAMIREZ - ASSISTANT PM



PHASE II - COMMERCIAL / OFFICES / RESTURANTS
SOUTH - WEST ELEVATION
SCALE: 1" = 20'-0"

PHASE II - COMMERCIAL / OFFICES / RESTAURANTS:

TWO LEVEL BUILDING STRUCTURES WITH A CENTRAL OPEN PEDESTRIAN - MULTI-PURPOSE ENTRY PLAZA PROVIDING VERTICAL AND HORIZONTAL ACCESS TO UNDERCOVER GALLERIES AND SECOND LEVEL PEDESTRIAN MALL AND CORRIDORS.

A TWO LEVEL BUILDING COMPLEX FRONTS THE LAKE, ALSO PROVIDING RESTAURANTS / SPECIALTY GARDEN CAFES AND OUTDOOR SEATING TERRACES AND INDOOR/OUTDOOR LOUNGES.

BUILDING AREAS DISTRIBUTION:

GROUND FLOOR RETAIL SHOPS	57,800 SF.
PEDESTRIAN GALLERY AND ACCESS CORRIDORS	19,500 SF.
MULTI-PURPOSE OPEN PLAZA	22,200 SF.
FOOD AND BEVERAGE RETAIL AREAS	14,100 SF.
TOTAL GROUND FLOOR GROSS FLOOR AREA	112,600 SF.
SECOND FLOOR COMMERCIAL RETAIL	25,200 SF.
COMMERCIAL OFFICES	34,400 SF.
PEDESTRIAN MALL AND CORRIDORS	18,500 SF.
TOTAL SECOND FLOOR GROSS FLOOR AREA	78,100 SF.
TOTAL BUILDING GROSS FLOOR AREA:	173,400 SF.

PARKING SPACES REQUIRED:			
RETAIL COMMERCIAL AREAS	= 110,250 SF.	@ 41,000 CARS	= 441
COMMERCIAL OFFICES	= 32,400 SF.	@ 2.5 / 1,000	= 81
TOTAL CARS =			522

PROVIDED:			
TWO LEVEL PARKING STRUCTURE	= 200 CARS	@ 340 SF. / C	= 68,000 SF.
AT GRADE PARKING =	236 CARS	@ 380 SF. / C	= 89,680 SF.
TOTAL PROVIDED =	528 CARS		

COMMERCIAL OFFICE BUILDING:			
LOCATED AT THE NORTH-EAST CORNER OF THE SITE AND FRONTING HIGHWAY 6			
BUILDING AREAS DISTRIBUTION:			
GROUND FLOOR RETAIL SHOPS	= 14,400 SF. GROSS		
3 OFFICE FLOOR LEVELS @ 8,400 SF. / EA.	= 25,200 SF. GROSS		
TOTAL BUILDING GROSS FLOOR AREA	= 39,600 SF.		

PARKING - 34,600 SF.	@ 2.5 / 1,000	= 100 CARS
AT GRADE PARKING =	100 CARS	@ 380 SF. / C = 38,000 SF.

Marco Bolfino, R.A.
Architect



SOUTHWEST PERSPECTIVE VIEW
RESTAURANTS COMPLEX AND OPEN TERRACES

M. Bolfino

Fort Bend Independent July 18, 2018 Page 5



City of Missouri City

NOTICE OF PUBLIC HEARING

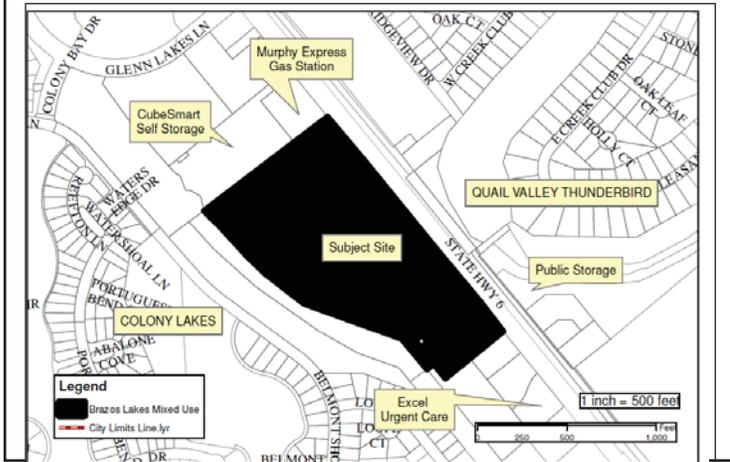
LOCATION/DATE: The City Council of the City of Missouri City will hold a public hearing on Monday, August 6, 2018, at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

PURPOSE: To receive comments for or against a request by Justin Schrader, LJA to rezone an approximate 24.45 acre tract of land from LC-3, retail district to PD, Planned Development District to allow for a mixed use commercial and residential development, 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 Excel Urgent Care, south of a Murphy Express gas station and Cube Smart self-storage, east of Quail Valley Thunderbird and a Public Storage, and west of Colony Lakes residential subdivision.

SITE LEGAL DESCRIPTION: The subject site can be described as being a tract of land containing 24.506 acres, located in the David Bright League, A-13, in Fort Bend County, Texas, said 24.506 acre tract being all of a called 22.507 acre tract of land recorded in the name of Golden Power Capital, LLC, in Fort Bend County Clerk's File (F.B.C.C.F.) No. 2016086714 and all of a called 2.0 acre tract of land recorded in the name of Ming & Shu Development, LLC, in F.B.C.C.F. No. 2010106905, save and except a called 0.0574 acre tract of land recorded in the name of Fort Bend County Municipal Utility District No. 46 in F.B.C.C.F. No. 2005084273, leaving a net acreage of 24.448 acres of land.

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



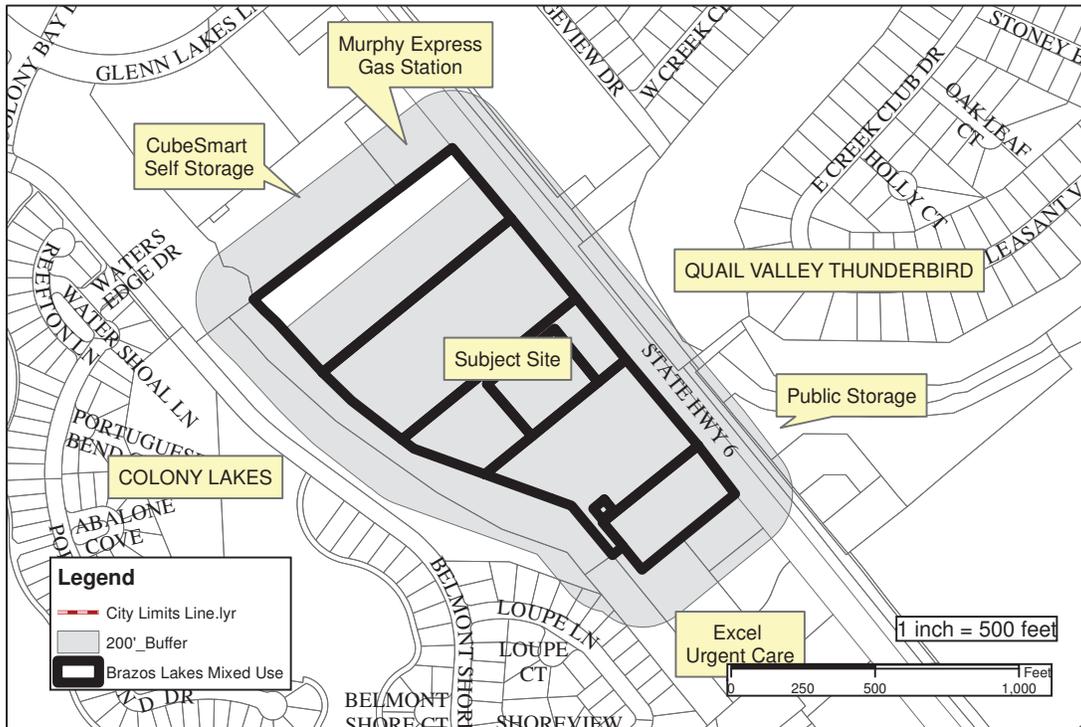
City of Missouri City, Texas
Development Services Department – Planning Division
Rezoning Application Protest Letters Analysis

Application: Brazos Lakes Mixed Use - PD
City Council First Reading: August 6, 2018

Protest Letters Received

Name	Property Address OR Fort Bend County Account Number	Land Area (Square Feet) Within 200 Feet
None		
Total Area Represented by Protest(s):		-
Total Land Area <i>Including</i> Subject Site:		3,049,569.04
Subject Site <i>Only</i> Land Area:		1,065,042.00
Total Land Area <i>Only Within 200 Feet</i> of Subject Site:		1,984,527.04
Protest(s) Percentage of Land Area Within 200 Feet:		0%

Note: A total of 0 letters of support and 1 letter of protest have been received for the application request as of August 2, 2018.





DEVELOPMENT SERVICES – PLANNING DIVISION

1522 TEXAS PARKWAY

MISSOURI CITY, TEXAS 77489

June 29, 2018

CITY OF MISSOURI CITY, TEXAS
Planning and Zoning Commission

The Planning and Zoning Commission of the City of Missouri City will hold a public hearing:
Wednesday, July 11, 2018
City Council Chambers
2nd Floor, City Hall Building
1522 Texas Parkway (FM 2234); 7:00 PM

To receive comments for or against a request by Justin Schrader, LJA to rezone an approximate 24.45 acre tract of land from LC-3, retail district to PD, Planned Development District to allow for a mixed use commercial and residential development, 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.

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

Dear City Representatives:

[X] I/We protest this proposed rezoning because

Colony Lakes Subdivision should be in I zone

___ I/We support this proposed rezoning because

[Empty box for support reasons]

Sincerely, JOSEPH JOHN

Signature [Handwritten Signature]

Print Name COLONY LAKE

Street Address

Subdivision

[Redacted]

Return to:

Development Services Department
1522 Texas Parkway
Missouri City, TX 77489
FAX (281) 208-5551

Phone Number

[Redacted]

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

JOSEPH JOHN, Sally JOSEPH

[Handwritten Signature]

City of Missouri City, TX
Received

JUL 11 2018

Planning Division



CITY COUNCIL AGENDA ITEM COVER MEMO

August 20, 2018

To: Mayor and City Council
Agenda Item: 7(b)(1) First and final public hearing to receive comments for or against city residential and commercial solid waste and recyclable material collection rates; consider a resolution adopting a schedule of fees for city residential and commercial solid waste and recycling collection services; and providing an effective date.
Submitted by: Bill Atkinson, Assistant City Manager

SYNOPSIS

This item is to discuss several items related to the solid waste and recycling services contract with WCA.

Advise city council that WCA, per the contract, has submitted an Annual Rate Adjustment Notification to become effective January 1, 2019, per the contract.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Maintain a financially sound City
- Have quality development through buildout

BACKGROUND

As you know, the City contracts with WCA as the exclusive provider of commercial and residential solid waste services, as well as certain levels of residential recycling services. The current rate is \$12.65. In accordance with the contract, the City received a request from WCA to adjust residential and commercial rates for implementation January 1, 2019. The adjustments derived from 80% of the Consumer Price Index and 20% of the fuel adjustments indexed to increases from October 2017 to October 2018. Per the formula in the contract, the combined components result in an increase of \$0.61 or 4.79% per month. This will raise the monthly charge from \$12.65 to \$13.26 per residential household per month.

A component of our mutual contract provides for an annual rate adjustment on the anniversary date of the contract (17.03 Adjustments), outlined under the Solid Waste and Recycling Service Agreement are the CPI and Fuel Adjustment components (17.03.1 CPI Adjustment / 17.03.2 Fuel Adjustment):

- 80% of the consumer price index for all Urban Consumers Houston, Galveston, Brazoria, TX Region, less energy, not seasonally adjusted = 1.26%
- 20% of the US Department of Energy's Weekly Retail on Highway Diesel Prices for the Gulf Coast (EIA/DOE) = 3.53%
- Combined adjustment = 4.79% or \$0.61 increase for residential users.

2018 Residential Rate	\$ 12.65
CPI/Diesel Adjustment	\$ 0.61
Total Adjustment	\$ 13.26

The chart below represents the changes in **commercial waste cart or dumpster rates** resulting from a 4.79% increase applied to all services.

2019 Price Adjustment Commercial							
	1	2	3	4	5	6	7
95 Gallon Cart	\$20.00	\$26.38	N/A	N/A	N/A	N/A	N/A
2 CY Dumpster	\$103.74	\$155.61	\$231.89	\$279.18	\$347.84	\$416.49	\$480.57
3 CY Dumpster	\$111.37	\$169.34	\$247.15	\$302.07	\$376.82	\$451.57	\$495.81
4 CY Dumpster	\$119.00	\$180.02	\$266.98	\$324.95	\$332.58	\$405.81	\$556.84
6 CY Dumpster	\$149.50	\$231.89	\$338.68	\$416.49	\$521.75	\$622.44	\$724.65
8 CY Dumpster	\$180.02	\$277.66	\$414.96	\$508.02	\$634.65	\$759.75	\$877.22
10 CY Dumpster	\$205.95	\$312.75	\$454.63	\$546.17	\$669.73	\$831.45	\$1,029.78
2 CY Dumpster Compactor	\$204.79	\$253.60	\$325.76	\$371.39	\$436.12	\$500.84	\$561.33
3 CY Dumpster Compactor	\$211.16	\$267.40	\$340.61	\$392.61	\$463.71	\$533.74	\$575.12
4 CY Dumpster Compactor	\$218.59	\$276.95	\$359.71	\$413.83	\$490.23	\$582.55	\$633.48
6 CY Dumpster Compactor	\$248.30	\$325.76	\$427.63	\$500.84	\$600.58	\$696.09	\$792.64
8 CY Dumpster Compactor	\$276.95	\$369.26	\$499.77	\$587.85	\$707.75	\$825.54	\$936.96

The chart below represents the changes in **recycling materials dumpster service rates** resulting from a 4.79% increase applied to all services.

2019 Price Adjustment Commercial Recycle							
	1	2	3	4	5	6	7
2 CY Dumpster	\$79.59	\$174.02	\$274.82	N/A	N/A	N/A	N/A
3 CY Dumpster	\$87.01	\$180.39	\$282.25	N/A	N/A	N/A	N/A
4 CY Dumpster	\$94.44	\$187.82	\$296.05	N/A	N/A	N/A	N/A
6 CY Dumpster	\$101.87	\$195.24	\$303.47	N/A	N/A	N/A	N/A
8 CY Dumpster	\$108.24	\$202.67	\$317.27	N/A	N/A	N/A	N/A
10 CY Dumpster	\$123.09	\$216.46	\$332.12	N/A	N/A	N/A	N/A
2 CY Dumpster Compactor	\$185.70	\$280.14	\$380.93	N/A	N/A	N/A	N/A
3 CY Dumpster Compactor	\$193.12	\$286.50	\$387.30	N/A	N/A	N/A	N/A
4 CY Dumpster Compactor	\$200.55	\$293.93	\$402.16	N/A	N/A	N/A	N/A
6 CY Dumpster Compactor	\$207.98	\$301.36	\$409.58	N/A	N/A	N/A	N/A
8 CY Dumpster Compactor	\$214.35	\$308.78	\$423.38	N/A	N/A	N/A	N/A

The chart below represents the changes in **roll-off rates** resulting from a 4.79% increase applied to all services.

2019 Price Adjustment Industrial				
Roll-off Type and Size	Container Rental Fee (Per Month)	Initial Delivery Fee (One-time)	Collection Fee (Per Pull)	Disposal Fee (Per Ton)
10 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
20 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
30 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
40 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95

The chart below represents the changes in **recyclable materials roll-off rates** resulting from a 4.79% increase applied to all services.

2019 Price Adjustment				
Roll-off Type and Size	Container Rental Fee (Per Month)	Initial Delivery Fee (One-time)	Collection Fee (Per Pull)	Disposal Fee (Per Ton)
10 CY Roll-off	\$ 157.19	\$ 130.99	\$ 235.78	\$ 15.72
20 CY Roll-off	\$ 157.19	\$ 130.99	\$ 235.78	\$ 15.72
30 CY Roll-off	\$ 157.19	\$ 130.99	\$ 235.78	\$ 15.72
40 CY Roll-off	\$ 157.19	\$ 130.99	\$ 235.78	\$ 15.72
25 CY Roll-off Compactor	\$ 445.36	\$ 235.78	\$ 235.78	\$ 15.72
30 CY Roll-off Compactor	\$ 445.36	\$ 235.78	\$ 235.78	\$ 15.72
40 CY Roll-off Compactor	\$ 445.36	\$ 235.78	\$ 235.78	\$ 15.72

The chart below represents the **fees relating to containers and casters** resulting from a 4.79% increase applied to all services.

Description	Fee
Container lock	\$10.48 per month
Set of casters	\$15.72 per month
Opening and closing of enclosures	No charge.
Extra cart	\$99.55 per cart
Delivery fee for containers after initial delivery	\$94.31 per container

BUDGET ANALYSIS

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
Solid Waste Revenues	580-45717-01-001-				N/A

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

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

SUPPORTING MATERIALS

1. Resolution
2. Annual Rate Adjustment Notification from WCA
3. Bureau of Labor Statistics CPI- All Urban Consumers Calculation

STAFF'S RECOMMENDATION

Staff recommends approval of the resolution adopting a schedule of fees for residential and commercial customers in accordance with the contractually prescribed rate adjustments to begin January 1, 2019.

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

Bill Atkinson

RESOLUTION NO. R-18-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, ADOPTING A SCHEDULE OF RATES AND FEES FOR CITY RESIDENTIAL AND COMMERCIAL SOLID WASTE AND RECYCLING COLLECTION SERVICES; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

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

Section 1. That the schedule of rates and fees for city residential and commercial solid waste and recyclable material services and other associated fees are specified in Exhibit "A" attached hereto and made a part hereof.

Section 2. That Resolution No. R-17-16 adopted on July 3, 2017, and any other resolution or part thereof in conflict herewith, is hereby repealed.

Section 3. That this Resolution will become effective on January 1, 2019.

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

EXHIBIT "A"

SCHEDULE OF RATES AND FEES¹

I. Residential Customers

A. Monthly Fees for Solid Waste and Program Recyclable Material Services

Description	Monthly Service Fee per Residential Customer
City Program Basic Services	\$13.26 per month
Solid Waste Extra Cart Service	\$75.00 per year

B. Additional Fees for Residential Customers

Description	Fee
Extra carts	\$95.00 per cart
Delivery fee of carts after initial delivery	\$90.00
Late fee for failure to pay a monthly collection rate or monthly City administrative fee by due date	\$15.00
City Monthly administrative fee	\$ 1.50

¹ All fees include collection and disposal fees and exclude taxes and franchise fees.

II. Commercial Customers

A. Monthly Fees for Solid Waste Cart or Dumpster Services

Weekly Collection Frequency							
	1	2	3	4	5	6	7
95 Gallon Cart	\$20.00	\$26.38	N/A	N/A	N/A	N/A	N/A
2 CY Dumpster	\$103.74	\$155.61	\$231.89	\$279.18	\$347.84	\$416.49	\$480.57
3 CY Dumpster	\$111.37	\$169.34	\$247.15	\$302.07	\$376.82	\$451.57	\$495.81
4 CY Dumpster	\$119.00	\$180.02	\$266.98	\$324.95	\$332.58	\$405.81	\$556.84
6 CY Dumpster	\$149.50	\$231.89	\$338.68	\$416.49	\$521.75	\$622.44	\$724.65
8 CY Dumpster	\$180.02	\$277.66	\$414.96	\$508.02	\$634.65	\$759.75	\$877.22
10 CY Dumpster	\$205.95	\$312.75	\$454.63	\$546.17	\$669.73	\$831.45	\$1,029.78
2 CY Dumpster Compactor	\$204.79	\$253.60	\$325.76	\$371.39	\$436.12	\$500.84	\$561.33
3 CY Dumpster Compactor	\$211.16	\$267.40	\$340.61	\$392.61	\$463.71	\$533.74	\$575.12
4 CY Dumpster Compactor	\$218.59	\$276.95	\$359.71	\$413.83	\$490.23	\$582.55	\$633.48
6 CY Dumpster Compactor	\$248.30	\$325.76	\$427.63	\$500.84	\$600.58	\$696.09	\$792.64
8 CY Dumpster Compactor	\$276.95	\$369.26	\$499.77	\$587.85	\$707.75	\$825.54	\$936.96

B. Monthly Fees for Program Recyclable Materials Dumpster Services

Weekly Collection Frequency							
	1	2	3	4	5	6	7
2 CY Dumpster	\$ 78.59	\$ 171.86	\$ 271.41	N/A	N/A	N/A	N/A
3 CY Dumpster	\$ 85.93	\$ 178.14	\$ 278.74	N/A	N/A	N/A	N/A
4 CY Dumpster	\$ 93.26	\$ 185.48	\$ 292.36	N/A	N/A	N/A	N/A
6 CY Dumpster	\$ 100.60	\$ 192.81	\$ 299.70	N/A	N/A	N/A	N/A
8 CY Dumpster	\$ 106.89	\$ 200.15	\$ 313.32	N/A	N/A	N/A	N/A
10 CY Dumpster	\$ 121.56	\$ 213.77	\$ 327.99	N/A	N/A	N/A	N/A
2 CY Dumpster Compactor	\$ 183.38	\$ 276.65	\$ 376.20	N/A	N/A	N/A	N/A
3 CY Dumpster Compactor	\$ 190.72	\$ 282.93	\$ 382.48	N/A	N/A	N/A	N/A
4 CY Dumpster Compactor	\$ 198.05	\$ 290.27	\$ 397.15	N/A	N/A	N/A	N/A
6 CY Dumpster Compactor	\$ 205.39	\$ 297.60	\$ 404.49	N/A	N/A	N/A	N/A
8 CY Dumpster Compactor	\$ 211.68	\$ 304.94	\$ 418.11	N/A	N/A	N/A	N/A

C. Fees for Roll Off Services

Roll-off Type and Size	Container Rental Fee (Per Month)	Initial Delivery Fee (One-time)	Collection Fee (Per Pull)	Disposal Fee (Per Ton)
10 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
20 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
30 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
40 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95

D. Fees for Recyclable Materials Roll Off Services

Roll-off Type and Size	Container Rental Fee (Per Month)	Initial Delivery Fee (One-time)	Collection Fee (Per Pull)	Disposal Fee (Per Ton)
10 CY Roll-off	\$ 157.19	\$ 130.99	\$ 235.78	\$ 15.72
20 CY Roll-off	\$ 157.19	\$ 130.99	\$ 235.78	\$ 15.72
30 CY Roll-off	\$ 157.19	\$ 130.99	\$ 235.78	\$ 15.72
40 CY Roll-off	\$ 157.19	\$ 130.99	\$ 235.78	\$ 15.72
25 CY Roll-off Compactor	\$ 445.36	\$ 235.78	\$ 235.78	\$ 15.72
30 CY Roll-off Compactor	\$ 445.36	\$ 235.78	\$ 235.78	\$ 15.72
40 CY Roll-off Compactor	\$ 445.36	\$ 235.78	\$ 235.78	\$ 15.72

E. Fees Relating to Containers and Casters

Description	Fee
Container lock	\$10.48 per month
Set of casters	\$15.72 per month
Opening and closing of enclosures	No charge.
Extra cart	\$99.55 per cart
Delivery fee for containers after initial delivery	\$94.31 per container

F. Fees for Extra Dumpster Pick Ups for Solid Waste Services

Dumpster Type and Size	Fee (Per Pickup)
All types and sizes	\$90.00

G. Fees for Extra Pick Ups for Program Recyclable Materials Dumpster Services

Dumpster Type and Size	Fee (Per Pickup)
All types and sizes	\$90.00



May 31, 2018

City of Missouri City
Attn: Bill Atkinson, Assistant City Manager
1522 Texas Pkwy
Missouri City, TX 77489

RE: Annual Rate Adjustment Notification

Dear Bill,

WCA Waste Corporation is proud to be your solid waste and recycling services provider. We are committed to providing you with the most professional and reliable service available. We hope you are pleased with our performance and we urge you to contact us at any time with any questions or concerns that you may have.

A component of our mutual contract allows for an annual rate adjustment on the anniversary date of the contract (17.03 Adjustments), outlined under the Solid Waste and Recycling Service Agreement are the CPI and Fuel Adjustment components (17.03.1 CPI Adjustment / 17.03.2 Fuel Adjustment): 80% of the consumer price index for all Urban Consumers Houston, Galveston, Brazoria, TX Region, less energy, not seasonally adjusted; 20% of the US Department of Energy's Weekly Retail on Highway Diesel Prices for the Gulf Coast (EIA/DOE).

17.03.1 CPI Adjustment: 80% / 17.03.2 Fuel Adjustment: 20% EIA/DOE = \$0.61 / home / month

2016 Residential Rate	\$ 12.65
CPI/Diesel Adjustment	\$ 0.61
Total Adjustment	\$ 13.26

Effective **January 1, 2018** the current rate of \$12.65 will change to \$13.26, an increase of \$0.61 cents per home per month.

It is WCA's goal to continue to provide you with high quality, trash-hauling services at a competitive rate. For your convenience I have added the Commercial and Industrial matrix on page two. Should you have any questions or require additional information, please do not hesitate to contact me.

We appreciate the opportunity to include you as one of our valued customers and consider it our privilege to serve you!

Sincerely,

Trevor Royal
WCA Waste Corporation



2019 Price Adjustment Commercial							
	1	2	3	4	5	6	7
95 Gallon Cart	\$20.00	\$26.38	N/A	N/A	N/A	N/A	N/A
2 CY Dumpster	\$103.74	\$155.61	\$231.89	\$279.18	\$347.84	\$416.49	\$480.57
3 CY Dumpster	\$111.37	\$169.34	\$247.15	\$302.07	\$376.82	\$451.57	\$495.81
4 CY Dumpster	\$119.00	\$180.02	\$266.98	\$324.95	\$332.58	\$405.81	\$556.84
6 CY Dumpster	\$149.50	\$231.89	\$338.68	\$416.49	\$521.75	\$622.44	\$724.65
8 CY Dumpster	\$180.02	\$277.66	\$414.96	\$508.02	\$634.65	\$759.75	\$877.22
10 CY Dumpster	\$205.95	\$312.75	\$454.63	\$546.17	\$669.73	\$831.45	\$1,029.78
2 CY Dumpster Compactor	\$204.79	\$253.60	\$325.76	\$371.39	\$436.12	\$500.84	\$561.33
3 CY Dumpster Compactor	\$211.16	\$267.40	\$340.61	\$392.61	\$463.71	\$533.74	\$575.12
4 CY Dumpster Compactor	\$218.59	\$276.95	\$359.71	\$413.83	\$490.23	\$582.55	\$633.48
6 CY Dumpster Compactor	\$248.30	\$325.76	\$427.63	\$500.84	\$600.58	\$696.09	\$792.64
8 CY Dumpster Compactor	\$276.95	\$369.26	\$499.77	\$587.85	\$707.75	\$825.54	\$936.96

2019 Price Adjustment Commercial Recycle							
	1	2	3	4	5	6	7
2 CY Dumpster	\$79.59	\$174.02	\$274.82	N/A	N/A	N/A	N/A
3 CY Dumpster	\$87.01	\$180.39	\$282.25	N/A	N/A	N/A	N/A
4 CY Dumpster	\$94.44	\$187.82	\$296.05	N/A	N/A	N/A	N/A
6 CY Dumpster	\$101.87	\$195.24	\$303.47	N/A	N/A	N/A	N/A
8 CY Dumpster	\$108.24	\$202.67	\$317.27	N/A	N/A	N/A	N/A
10 CY Dumpster	\$123.09	\$216.46	\$332.12	N/A	N/A	N/A	N/A
2 CY Dumpster Compactor	\$185.70	\$280.14	\$380.93	N/A	N/A	N/A	N/A
3 CY Dumpster Compactor	\$193.12	\$286.50	\$387.30	N/A	N/A	N/A	N/A
4 CY Dumpster Compactor	\$200.55	\$293.93	\$402.16	N/A	N/A	N/A	N/A
6 CY Dumpster Compactor	\$207.98	\$301.36	\$409.58	N/A	N/A	N/A	N/A
8 CY Dumpster Compactor	\$214.35	\$308.78	\$423.38	N/A	N/A	N/A	N/A

2019 Price Adjustment Industrial				
Roll-off Type and Size	Container Rental Fee (Per Month)	Initial Delivery Fee (One-time)	Collection Fee (Per Pull)	Disposal Fee (Per Ton)
10 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
20 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
30 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95
40 CY Roll-off	\$159.17	\$132.64	\$206.92	\$33.95

Note: Every line item is affected by this increase commercial recycle, residential, locks, disposal, etc.

Consumer Price Index - All Urban Consumers
Original Data Value

Series Id: CUURS37BSAOLE, CUUSS37BSAOLE
Not Seasonally Adjusted
Area: Houston-The Woodlands-Sugar Land, TX
Item: All items less energy
Base Period: 1982-84=100
Years: 2016 to 2017

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1
2016		225.368		225.652		226.660		225.741		226.945		226.352	225.902	225.380
2017		227.303		227.902		229.298		229.994		230.505		228.806	228.711	227.774
CPI Adjustment	Increase	1.57%	3.560											
	Decrease													
	80%	1.25%												

Diesel Adjustment	2016-Oct	26-Sep	2.23
	2017-Oct	25-Sep	2.624
	Increase/ Decrease	17.67%	0.394
	20%	3.53%	

Combined Adjustment 1/1/2018 **4.79%** (Applied to all lines of business under this Contract)

2018 Residential Rate \$ 12.65
 CPI/Diesel Adjustment \$ 0.61
 Total Adjustment \$ 13.26



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

August 20, 2018

To: Mayor and City Council
Agenda Item: 7(b) Public Hearing and First Reading of an Ordinance for Changing Name of Lake Shore Harbour Blvd., to Trammel Fresno Rd.
Submitted by: Shashi K. Kumar, Director of Public Works/City Engineer
 Otis T. Spriggs, AICP, Director of Development Services

SYNOPSIS

This is a Public Hearing and first reading of an Ordinance changing the name of Lake Shore Harbour Blvd., a public street located in the City, to Trammel Fresno Rd, for the roadway segment shown in the attached Exhibit A.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

Trammel Fresno Rd., located between the limits of Vicksburg Blvd. to the west and Fort Bend Toll Road to the east was recently widened and opened to the public. Widening of Trammel Fresno Rd., located between the limits of Fort Bend Toll Road and extending further east to FM 521 is currently underway. There is also a section of Trammel Fresno Rd., extending west from State Highway 6 (SH 6) to Sienna Pkwy. Currently, there is a small roadway segment located between the limits of SH 6 and Vicksburg Blvd., which is named as Lake Shore Harbour Blvd (See Exhibit A). This change in name (as it currently exists) for a small segment of a roadway that serves as a major thoroughfare in the City can be confusing to the drivers.

The proposed name change is intended to address this issue. With the expansion and opening of Trammel Fresno Rd., connecting to Fort Bend Tollway, increased growth and traffic is projected in the general area. Currently, there are not many properties fronting Lake Shore Harbour Blvd., and hence an opportunistic time to change the street name to reflect Trammel Fresno Rd., so as to be contiguous. Further, staff have received positive feedback from both the Developer and the Lake Shore Harbour HOA Board for the proposed name change.

If this Ordinance to rename the existing street is approved by the City Council, staff will notify any affected city departments, utilities, properties, and governmental entities of the new street name.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY2018 Funds Budgeted	FY2018 Funds Available	Amount Requested
\$0 Budget Impact. This project will be performed with existing city signage stock as well as by City Streets personnel.					

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. Exhibit A: Map of subject street location
3. Utilities & Other Agency Notifications
4. Notification to County for Review of Street Duplication
5. Lake Shore Harbour Blvd., Name Change Labels & Abutting Properties Notices

STAFF'S RECOMMENDATION

Staff recommends that City Council hold a Public Hearing to receive comments concerning this request and consider adoption of the proposed Ordinance to rename Lake Shore Harbour Blvd., to Trammel Fresno Rd.

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

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

**Assistant City Manager/
City Manager Approval:** Scott R. Elmer, P.E.

ORDINANCE NO. O-18-__

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS,
CHANGING THE NAME OF LAKESHORE HARBOUR BOULEVARD, A
PUBLIC STREET LOCATED IN THE CITY OF MISSOURI CITY, TEXAS,
TO TRAMMEL FRESNO ROAD.**

* * * * *

WHEREAS, Chapter 16 of the Missouri City Code provides for the naming of city streets; now therefore,

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

Section 1. The name of that roadway located within the City of Missouri City and known as Lakeshore Harbour Boulevard, as depicted on Exhibit "A," attached hereto and made a part hereof, is hereby changed to Trammel Fresno Road.

PASSED and APPROVED on first reading this ____ day of _____, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this ____ day of _____, 2018.

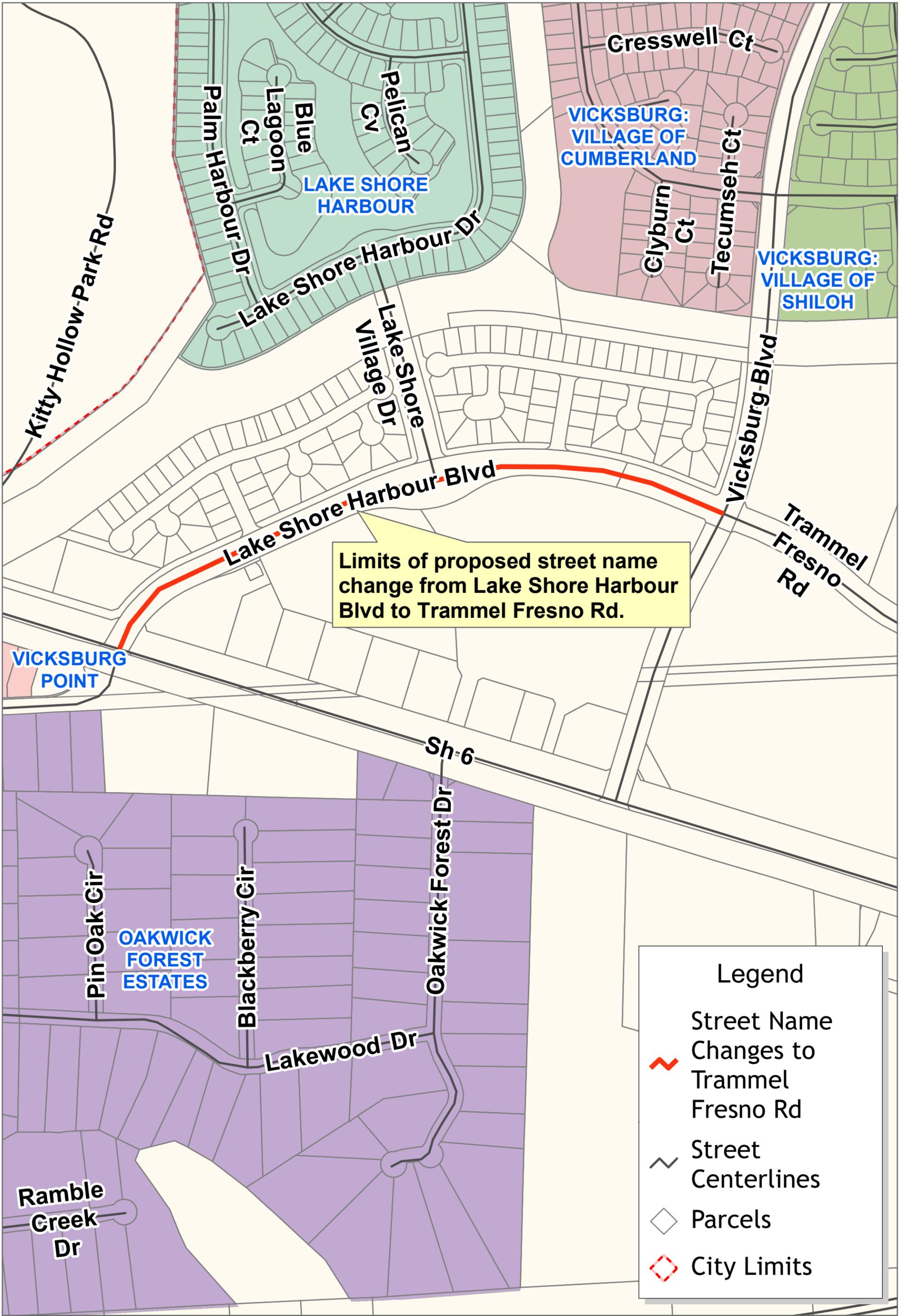
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



Limits of proposed street name change from Lake Shore Harbour Blvd to Trammel Fresno Rd.

Legend

-  Street Name Changes to Trammel Fresno Rd
-  Street Centerlines
-  Parcels
-  City Limits

Map By:
GIS Division
August 2018



Street Name Changes from
Lake Shore Harbour Blvd to
Trammel Fresno Road



0 100 200 400 600 800 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.

Otis Spriggs

From: Otis Spriggs
Sent: Friday, August 17, 2018 8:59 AM
To: 'Marquita.Williams@centerpointenergy.com'
Cc: 'mike.smallwood@centerpointenergy.com'; Shashi Kumar
Subject: Request for Review: Street renaming Ordinance adoption through the City Council, from Lake Shore Harbour Blvd., a public street segment located in the City, to Trammel Fresno Rd.
Attachments: Exhibit A Trammel Fresno Rd.pdf

Dear Mike/Marquita,

The City of Missouri City is considering a street renaming Ordinance adoption through the City Council, from Lake Shore Harbour Blvd., a public street segment located in the City, to Trammel Fresno Rd. and request a review by the CenterPoint Energy Maps & Records Division (See attached Exhibit A). A public hearing has been set for August 20, 2018 at 7:00 PM in the regular session of the City Council, at 1522 Texas Parkway, Missouri City, Texas 77489, City Hall, Council Chambers.

Trammel Fresno Rd., located between the limits of Vicksburg Blvd. to the west and Fort Bend Toll Road to the east was recently widened and opened to the public. Widening of Trammel Fresno Rd., located between the limits of Fort Bend Toll Road and extending further east to FM 521 is currently underway. There is also a section of Trammel Fresno Rd., extending west from State Highway 6 (SH 6) to Sienna Pkwy. Currently, there is a small roadway segment located between the limits of SH 6 and Vicksburg Blvd., which is named as Lake Shore Harbour Blvd (See Exhibit A). This change in name (as it currently exists) for a small segment of a roadway that serves as a major thoroughfare in the City can be confusing to the drivers.

The proposed name change is intended to address this issue. With the expansion and opening of Trammel Fresno Rd., connecting to Fort Bend Tollway, increased growth and traffic is projected in the general area. Currently, there are not many properties fronting Lake Shore Harbour Blvd., and hence an opportunistic time to change the street name to reflect Trammel Fresno Rd., so as to be contiguous. Further, staff has received positive feedback from both the Developer and the Lake Shore Harbour HOA Board for the proposed name change.

Please review and provide any comments from your division at your convenience.

Thank you.



Otis T. Spriggs, AICP | Director of Development Services

1522 Texas Parkway | Missouri City, TX 77489

t. 281.403.8661 | f. 281.403.5551

website | map | email    

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Otis Spriggs

From: Otis Spriggs
Sent: Friday, August 17, 2018 9:16 AM
To: 'rmarcucci@municipaldistrictservices.com'; 'sburch@jonescarter.com'
Cc: Shashi Kumar
Subject: Request for Review: Street renaming Ordinance adoption through the City Council, from Lake Shore Harbour Blvd., a public street segment located in the City, to Trammel Fresno Rd.
Attachments: Exhibit A Trammel Fresno Rd.pdf

Dear Sean Burch/Rebecca Marcucci,

The City of Missouri City is considering a street renaming Ordinance adoption through the City Council, from Lake Shore Harbour Blvd., a public street segment located in the City, to Trammel Fresno Rd. and request a review by MUD 48 (See attached Exhibit A). A public hearing has been set for the first of two readings for August 20, 2018 at 7:00 PM in the regular session of the City Council, at 1522 Texas Parkway, Missouri City, Texas 77489, City Hall, Council Chambers.

Trammel Fresno Rd., located between the limits of Vicksburg Blvd. to the west and Fort Bend Toll Road to the east was recently widened and opened to the public. Widening of Trammel Fresno Rd., located between the limits of Fort Bend Toll Road and extending further east to FM 521 is currently underway. There is also a section of Trammel Fresno Rd., extending west from State Highway 6 (SH 6) to Sienna Pkwy. Currently, there is a small roadway segment located between the limits of SH 6 and Vicksburg Blvd., which is named as Lake Shore Harbour Blvd (See Exhibit A). This change in name (as it currently exists) for a small segment of a roadway that serves as a major thoroughfare in the City can be confusing to the drivers.

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Please review and provide any comments from your division at your convenience.

Thank you.



Otis T. Spriggs, AICP | Director of Development Services

1522 Texas Parkway | Missouri City, TX 77489

t. 281.403.8661 | f. 281.403.5551

website | map | email    

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Egima Brown

From: Egima Brown
Sent: Friday, August 17, 2018 9:40 AM
To: 'mandymandirubalcaba@fbcad.org'; 'Craig.A.Biagioli@usps.gov'; 'Baker, Rosita - Houston, TX'; 'Johnson, Susanne K - Houston, TX'; 'aortega@wcamerica.com'; 'mwest@wcamerica.com'; 'HoustonGrowthManagement@usps.gov'
Cc: Otis Spriggs; Shashi Kumar; Sharon Heisler
Subject: FW: Courtesy Notice of Public Hearing: Street renaming Ordinance adoption through the City Council, from Lake Shore Harbour Blvd., a public street segment located in the City, to Trammel Fresno Rd.
Attachments: Exhibit A Trammel Fresno Rd.pdf

Good morning Team,

Please see the forwarded Public Notice.

Be well today

From: Otis Spriggs
Sent: Friday, August 17, 2018 9:23 AM
To: Egima Brown <egima.brown@missouricitytx.gov>
Subject: Courtesy Notice of Public Hearing: Street renaming Ordinance adoption through the City Council, from Lake Shore Harbour Blvd., a public street segment located in the City, to Trammel Fresno Rd.

Dear Sir or Madam,

The City of Missouri City is considering a street renaming Ordinance adoption through the City Council, from Lake Shore Harbour Blvd., a public street segment located in the City, to Trammel Fresno Rd. and request a review by Service Providing Agencies or Companies (See attached Exhibit A). A public hearing has been set for the first of two readings for August 20, 2018 at 7:00 PM in the regular session of the City Council, at 1522 Texas Parkway, Missouri City, Texas 77489, City Hall, Council Chambers.

Trammel Fresno Rd., located between the limits of Vicksburg Blvd. to the west and Fort Bend Toll Road to the east was recently widened and opened to the public. Widening of Trammel Fresno Rd., located between the limits of Fort Bend Toll Road and extending further east to FM 521 is currently underway. There is also a section of Trammel Fresno Rd., extending west from State Highway 6 (SH 6) to Sienna Pkwy. Currently, there is a small roadway segment located between the limits of SH 6 and Vicksburg Blvd., which is named as Lake Shore Harbour Blvd (See Exhibit A). This change in name (as it currently exists) for a small segment of a roadway that serves as a major thoroughfare in the City can be confusing to the drivers.

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Please review and provide any comments from your division or company at your convenience.

Thank you.



Otis T. Spriggs, AICP | Director of Development Services

1522 Texas Parkway | Missouri City, TX 77489

t. 281.403.8661 | f. 281.403.5551

[website](#) | [map](#) | [email](#)    

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~

The Mission of the City Government of Missouri City is to provide municipal services in a financially responsible and customer friendly manner, while engaging our residents. How can we better serve you? Take our [customer satisfaction survey](#).

Otis Spriggs

From: Otis Spriggs
Sent: Friday, August 17, 2018 8:00 AM
To: 'courtney.velasquez@fortbendcountytexas.gov'
Cc: 'Sowa, Mary Jane'; Shashi Kumar
Subject: Request for Review: Street Renaming (Duplication Check): From Lake Shore Harbour Blvd. to Trammel Fresno Rd
Attachments: Exhibit A Trammel Fresno Rd.pdf

Dear Courtney Velasquez/ Mary Jane Sowa,

The City of Missouri City is considering a street renaming Ordinance adoption through the City Council, from Lake Shore Harbor Blvd., a public street segment located in the City, to Trammel Fresno Rd. and request a review by the Fort Bend County Engineering Department (See attached Exhibit A). A public hearing has been set for August 20, 2018 at 7:00 PM in the regular session of the City Council, at 1522 Texas Parkway, Missouri City, Texas 77489, City Hall, Council Chambers.

Trammel Fresno Rd., located between the limits of Vicksburg Blvd. to the west and Fort Bend Toll Road to the east was recently widened and opened to the public. Widening of Trammel Fresno Rd., located between the limits of Fort Bend Toll Road and extending further east to FM 521 is currently underway. There is also a section of Trammel Fresno Rd., extending west from State Highway 6 (SH 6) to Sienna Pkwy. Currently, there is a small roadway segment located between the limits of SH 6 and Vicksburg Blvd., which is named as Lake Shore Harbour Blvd (See Exhibit A). This change in name (as it currently exists) for a small segment of a roadway that serves as a major thoroughfare in the City can be confusing to the drivers.

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Please review and provide any comments from your division at your convenience.

Thank you.



Otis T. Spriggs, AICP | Director of Development Services

1522 Texas Parkway | Missouri City, TX 77489

t. 281.403.8661 | f. 281.403.5551

website | map | email    

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Fort Bend County
301 Jackson St, Rm 101
Richmond, TX 77469-3108

Global New Millennium Partners Ltd
4415 Highway 6
Sugar Land, TX 77478-4476

Gehan Homes LTD
15725 Dallas Parkway STE #300
Addison, TX 75001-3850

Wal-Mart Stores Texas LLC
C/o Wal-mart Property Tax Dept.
PO Box 8050, MS 0555
Bentonville, AR 72712-8050

Vicksburg Estates Ltd
1616 S Voss RD STE #618
Houston, TX 77057-2620

O'Reilly Auto Enterprises LLC
PO Box 9167
Springfield, MO 65801-9167

Missouri City Parkwood LLC
c/o Walgreen Co. Judy Broughman -
MS # 1435, 104 Wilmot RD
Deerfield, IL 60015-5121

Vicksburg Center LP
802 Main Street, Suite 101
Canmore Alberta, Canada T1W2B7

Vicksburg Estates Ltd
1616 S. Voss RD STE 618
Houston, TX 77057-2620

Sbb Enterprises LLC
3551 N Sam Houston PKWY W
Houston, TX 77086-1422

Aim Investments Two Inc
c/o Time Wise # 4601
11111 Wilcrest Green, Ste. 100
Houston, TX 77242-4739

Lake Shore Harbour HOA
11000 Corporate Centre DR, STE 150
Houston, TX 77041

Texas Transportation Commission
PO Box 1386
Houston, TX 77251-1386

Hammer Real Estate Holdings LLC
1430 Sandra ST
Morgan City, LA 70380-2136

CFT NV Development LLC
1683 Walnut Grove AVE
Rosemead, CA 91770-3711

Murphy Oil USA Inc
PO Box 7300
El Dorado, AR 71731-7300



DEVELOPMENT SERVICES – PLANNING DIVISION

1522 TEXAS PARKWAY

MISSOURI CITY, TEXAS 77489

CITY OF MISSOURI CITY, TEXAS
City Council

The City Council of the City of Missouri City will hold a public hearing:
Monday, August 20, 2018
City Council Chambers
2nd Floor, City Hall Building
1522 Texas Parkway (FM 2234); 7:00 PM

To receive comments for or against a Street Name Change request and Public hearing to receive comments concerning an ordinance changing the name of Lake Shore Harbour Blvd., a public street located in the City, to Trammel Fresno Rd, for the roadway segment shown in the attached Exhibit A.; and consider the ordinance on the first of two readings, in compliance with Ordinance O-17-19, rules and regulations related to the naming of City property and City programs, to provide for an amendment therefrom.

This letter is being sent to land owners of property fronting and abutting Lake Shore Harbour Blvd. right-of-way, for the described segment only. It is also sent to others on request.

Dear City Representatives:

I/We protest this proposed street renaming because

I/We support this proposed street renaming because

Sincerely,

Signature Print Name

Street Address Subdivision

Phone Number Return to: Development Services Department
1522 Texas Parkway
Missouri City, TX 77489
FAX (281) 208-5551

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

Print Name Signature

OWNERSHIP LIST (Properties fronting on Subject Street): 10(a) Ordinance Changing Name of Lake Shore Harbour Blvd., to Trammel Fresno Rd.

OWNERNAME	OADDR2	OWNERCITY	OWNERSTATE	OWNERZIP	LEGAL
Fort Bend County	301 Jackson ST, Rm. 101	Richmond	TX	77469-3108	0077 E ROARK, TRACT 11 (PT), ACRES 5.84, VICKSBURG DR ROW NOT IN MUD 60
Gehan Homes LTD	15725 Dallas Parkway STE #300	Addison	TX	75001-3850	VENETIAN VILLAGE SEC 1, BLOCK 1, LOT 23
Vicksburg Estates Ltd	1616 S Voss RD STE 618	Houston	TX	77057-2620	VENETIAN VILLAGE SEC 1, ACRES 0.6818, RESTRICTED RESERVE "D" (LANDSCAPE)
Missouri City Parkwood LLC	c/o Walgreen Co. Judy Broughman MS #1435, 104 Wilmot RD	Deerfield	IL	60015-5121	VENETIAN VILLAGE SEC 1, ACRES 1.683, RESTRICTED RESERVE "E2", REPLAT
Vicksburg Estates Ltd	1616 S Voss RD STE 618	Houston	TX	77057-2620	VENETIAN VILLAGE SEC 1, ACRES 0.6827, RESTRICTED RESERVE "A" (LANDSCAPE)
Aim Investments Two Inc	c/o Time Wise #4601 11111 Wilcrest Green, Ste. 100	Houston	TX	77242-4739	0086 M SHIPMAN, ACRES 1.278, RESTRICTED RESERVE "A", COUNTRY STORE VICKSBURG
Texas Transportation Commission	PO Box 1386	Houston	TX	77251-1386	0077 E ROARK, ACRES 1.815, (PT) PARCEL 34 HWY 6 ROW NOT IN MUD 60
Hamer Real Estate Holdings LLC	1430 Sandra ST	Morgan City	LA	70380-2136	Missouri City Walmart, ACRES 0.652, Partial Replat No 1, Block 1, Reserve "I-B" (Commercial)
CFT NV Developments LLC	1683 Walnut Grove AVE	Rosemead	CA	91770-3711	Missouri City Walmart, ACRES 1.188, Reserve "D" (Commercial)
Murphy Oil USA Inc	PO Box 7300	El Dorado	AR	71731-7300	Missouri City Walmart, ACRES 1.022, Reserve "E" (Commercial)
Global New Millennium Partners Ltd	4415 Highway 6	Sugar Land	TX	77478-4476	Missouri City Walmart, ACRES 1.182, Reserve "F" (Commercial)
Wal- Mart Stores Texas LLC	C/o Wal-mart Property Tax Dept PO Box 8050, MS 0555	Bentonville	AR	72712-8050	Missouri City Walmart, ACRES 18.14, Reserve "A" (Commercial)
O'Reilly Auto Enterprises LLC	PO Box 9167	Springfield	MO	65801-9167	Missouri City Walmart, ACRES 1.125, Reserve "G" (Commercial)
Vicksburg Center LP	802 Main Street, Suite 101	Canmore Alberta	Canada	T1W2B7	Missouri City Walmart, ACRES 1.101, Reserve "H" (Commercial)
Sbb Enterprises LLC	3551 N Sam Houston PKWY W	Houston	TX	77086-1422	Missouri City Walmart, ACRES 0.9645, Partial Replat No 1, Block 1, Reserve "I-A" (Commercial)



**Council Agenda Item
August 20, 2018**

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



CITY COUNCIL AGENDA ITEM COVER MEMO

August 20, 2018

To: Mayor and City Council

Agenda Item: 9(a) Consider authorizing the execution of an amendment to the interlocal agreement between Fort Bend County and the City of Missouri City, Texas, for the Independence Blvd. Segment 1/Staffordshire project

Submitted by: Shashi K. Kumar. P.E., Director of Public Works/City Engineer

SYNOPSIS

Authorize the execution of an amendment to the interlocal agreement with Fort Bend County for the construction of Independence Blvd. Segment 1 / Staffordshire Road.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

- The project includes improvements to the Independence Boulevard, Segment 1, being a four-lane divided boulevard from 1,400 feet east of Moore Road, which includes a concrete curb and gutter roadway, drainage improvements and associated work required for construction to Staffordshire Road; and construction of a concrete roadway with the addition of shoulders from Scanlin to Court Road, all within a 60' right of way, and drainage improvements.
- This project was approved in the 2013 Fort Bend County mobility bond election. As part of this amendment to the interlocal agreement with Fort Bend County (FBC), it will allow staff more time to request funds from FBC and be reimbursed for eligible project costs by December 31, 2019. FBC will contribute up to \$4,100,000 towards the construction of this project.
- The design consultant, Freese and Nichols, Inc. has provided professional services for the engineering, design, surveying, bid and construction management and final documentation for the project. On May 21, 2018 Council authorized a contract for the construction with Durwood Greene Construction Co. The construction began in August and is estimated to take approximately 12-14 months to complete.

BUDGET ANALYSIS

There is no fiscal impact to this amendment. Council has already authorized the design and construction funding for this project.

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. Amendment to the Interlocal Agreement

STAFF'S RECOMMENDATION

Staff recommends authorizing the execution of the amendment to the interlocal agreement for the construction of Independence Blvd. Segment 1/Staffordshire Rd. with Fort Bend County.

Director Approval:

Shashi K. Kumar, P.E.

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

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**AMENDMENT TO INTERLOCAL AGREEMENT FOR CITY-MANAGED MOBILITY PROJECT
INDEPENDENCE BLVD [SEGMENT 1] AND STAFFORDSHIRE ROAD
FORT BEND COUNTY PROJECT NOS. 13204 AND 13209**

THIS AMENDMENT, is made and entered pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code and Section 251.012 of the Texas Transportation Code by and between the City of Missouri City, a municipal corporation and home-rule city of the State of Texas, acting by and through its City Council (the “City”), and Fort Bend County, a body corporate and politic under the laws of the State of Texas, (the “County”), parties to the Interlocal Agreement for City-Managed Mobility Project – Independence Blvd [Segment 1] and Staffordshire Road executed on June 6, 2017 (the “Agreement”), attached hereto as Exhibit A and incorporated by reference as if set forth verbatim.

For and in consideration of the mutual obligations and benefits derived hereunder, the City and the County agree as follows:

1. Section 5. City Obligations C. (1) is hereby amended as follows:

“If the City requests an advance of funds from the County for Design Costs, such funds shall be reimbursed by December 31, 2017. If the City has advertised the construction contract for the lowest bidder by September 30, 2017, the City will apply the reimbursement due to the County for Design Costs to the construction contract. Should the City elect not to request an advance of funds for Design Costs, the reimbursement provisions under this subsection shall not apply.”

2. Section 5. City Obligations C. (2) is hereby amended as follows:

“Funds used by the City for construction of the Project less Eligible Project Costs, as agreed to by the County, up to the County’s limit of financial obligation as provided by Section 4. D. above, shall be reimbursed by December 31, 2019.”

3. Section 5. City Obligations D. is hereby amended as follows:

“The City agrees to commence construction of the Project by December 31, 2018. In the event the City determines the Project lacks feasibility or for any reason elects to forego construction, the City shall provide written notice to the County of its decision to forego construction and refund all advanced fund amounts provided by the County upon thirty (30) days of said notice to the County.”

Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment and the Agreement, the terms of this Amendment will prevail.

FORT BEND COUNTY

CITY OF MISSOURI CITY, TEXAS

Robert E. Hebert, County Judge

Allen Owen, Mayor

Date

Date

ATTEST:

ATTEST:

Laura Richard, County Clerk

Maria Jackson, City Secretary

APPROVED:

Richard W. Stolleis, P.E., County Engineer

APPROVED AS TO LEGAL FORM:

Marcus D. Spencer, First Assistant County Attorney

AUDITOR'S CERTIFICATE

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

Robert Ed Sturdivant, County Auditor

EXHIBIT A

THE STATE OF TEXAS
COUNTY OF FORT BEND

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

**INTERLOCAL AGREEMENT FOR CITY-MANAGED MOBILITY PROJECT
INDEPENDENCE BLVD [SEGMENT 1] AND STAFFORDSHIRE ROAD
FORT BEND COUNTY PROJECT NOS. 13204 AND 13209**

This Agreement is made and entered into pursuant to the Interlocal Cooperation Act, Chapter 791 of the TEXAS GOVERNMENT CODE and Section 251.012 of the TEXAS TRANSPORTATION CODE, by and between the City of Missouri City, a municipal corporation and home-rule city of the State of Texas, principally situated in Fort Bend County, acting by and through its City Council ("City"), and Fort Bend County, a body corporate and politic under the laws of the State of Texas, acting by and through its Commissioners Court ("County").

RECITALS

WHEREAS, in 2013 the citizens of Fort Bend County voted to approve the issuance of general obligation bonds that allows the County to participate with other local governmental entities to fund certain regional street and road improvements and associated drainage facilities ("Mobility Projects") that are funded in part by the state or federal government; and

WHEREAS, the project contemplated in this Agreement is the construction or roadway improvements that will enhance the traffic flow/circulation and drainage in the service area, and such Project is desired by the City and the County; and

WHEREAS, the County may not expend proceeds of bond issues or taxes levied pursuant to Article III, Section 52 (b) or (c) of the Texas Constitution on city streets that are not integral parts of or connecting links with county roads or state highways in accordance with Section 251.012 of the TEXAS TRANSPORTATION CODE; and

WHEREAS, the parties assert that the Project is part of a city street that is an integral part of or a connecting link with county roads or state highways in accordance with Section 251.012 of the TEXAS TRANSPORTATION CODE; and

WHEREAS, the Commissioners Court of Fort Bend County finds that the Project contemplated in this Agreement serves a County purpose; and

WHEREAS, the City and the County agree to participate in this Project according to the terms of this Agreement; and

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

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

AGREEMENT

Section 1. Purpose

The purpose of this Agreement is to outline the funding obligations related to the improvements to Independence Boulevard [Segment 1] and Staffordshire Road.

Section 2. Definitions

- A. **City** means the City of Missouri City, Texas.
- B. **County** means Fort Bend County, Texas.
- C. **Project** means improvements to the Independence Boulevard [Segment 1] and Staffordshire Road as follows:

- (1) Independence Boulevard - Construction of a four-lane divided boulevard from Staffordshire Road, which includes a left turn lane, drainage improvements for the roadway and associated work to 1,400 feet east of Moore Road; and
- (2) Staffordshire Road – Construction of a concrete roadway with the addition of shoulders from Scanlin Street to Court Road, including the re-alignment of the intersection at Court Road, all within a 60' right of way, and drainage improvements.

D. **Eligible Project Costs** means costs, as determined by County, for construction of roadway improvements, project related drainage facilities, utility and pipeline conflicts, approved traffic control devices, and sidewalks up to five feet (5') wide for the Independence Boulevard portion of the Project. Eligible Project Costs shall exclude costs for engineering design and services related to the completion of Plans, Specifications and Estimates ("PS&E") for construction of such roadway improvements; and design and construction costs related to landscaping, irrigation, lighting, hike & bike trails, reconstruction of utilities, except utility conflicts created by the construction of Project elements and similar facilities proposed to be part of the Project.

Section 3. Incorporation of Recitals

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

Section 4. County Rights and Obligations

A. County shall have the right to approve the engineer and related consultants selected by the City for the Project.

B. During the work on the Project, County shall have the right to review all documents, maps, plats, records, photographs, reports and drawings affecting the construction and to inspect the work in progress, provided however, that in conducting such inspections,

County shall not interfere with the work in progress. Any deficiencies noted by County shall be brought to the attention of City and the deficiencies shall be promptly addressed by City.

C. County shall have the right to participate in the final inspection of the Project. At that time, any deficiencies noted by County shall be promptly addressed by City.

D. The County's sole financial obligation under this Agreement is to advance the funding for the Project to the City to facilitate early completion of the Project and to pay the City for Eligible Project Costs as specified in this Section.

- (1) The County agrees to pay fifty percent (50%) of the Eligible Project Costs up to a maximum amount of \$4,100,000.
- (2) The County agrees to advance an amount to fund costs, other than Project Costs, as determined by City, for engineering design and services related to the completion of PS&E ("Design Costs") within thirty (30) days of final execution of the Agreement or receipt of a request for funding from the City, whichever occurs later.
- (3) Upon the City's award of the construction contract for the Project, City will forward to the County a request for advance funding of the construction of the Project ("Construction Costs") that includes sufficient detail for the County to review the successful bidder's submittal. The County will forward payment for Construction Costs to the City within thirty (30) days of approval of the construction contract by the City Council and receipt of a request from the City for the advance funding of the Construction Costs, whichever is later. Advance payment for Construction Costs may include Eligible Project Costs; provided that, funding in an amount that exceeds the limits for the payment of Eligible Project Costs set forth herein shall be reimbursed by the City as provided by this Agreement.

E. The County is not obligated to expend more than \$8,500,00 on the Project from the 2013 General Obligation Bonds or any other sources of funding, including advance funding partially reimbursable by the City. However, the County's contribution to the Project, after reimbursement by the City, shall remain limited to fifty percent (50%) of the Eligible Project Costs up to a maximum amount of \$4,100,000.

- (1) Any advance funding by the County may be used by the City for Design Costs and Construction Costs; provided that, such funds advanced by the County shall not be considered as the County's contribution to fund the Project in excess of fifty percent (50%) of the Eligible Project Costs.
- (2) The City shall reimburse the County for all advance funding and payments by the County for Design Costs and Construction Costs in excess of fifty percent (50%) of the Eligible Project Costs or \$4,100,000, whichever is less, plus the County's Interest Expense, as defined herein.

Section 5. City Obligations

A. The City is responsible for managing the design and overseeing the construction and completion of the Project and complying with the applicable state and federal laws.

B. The City is responsible for right of way acquisition and utility pipeline relocations required for completion of the Project, except for utility and pipeline relocations required due to direct conflicts with proposed improvements that are considered Eligible Project Costs.

C. The City shall reimburse the County for funds advanced by the County as specified in this Section.

- (1) Funds used by the City for Design Costs shall be reimbursed by December 31, 2017. If the City has advertised the construction contract for the lowest bidder by September 30, 2017, the City will apply the reimbursement due to the County for Design Costs to the construction contract.
- (2) Funds used by the City for construction of the Project less Eligible Project Costs, agreed to by the County, up to County's limit of financial obligation as provided by Section 4. D. above, shall be reimbursed by December 31, 2018.
- (3) The City agrees to reimburse the County for any Interest Expense, as determined by the County Auditor, incurred by the County due to the advance funding of the Project by the County. Interest Expense means interest, if any, on the County's payments in excess of the fifty percent (50%) of the Eligible Project Costs or \$4,100,000, whichever is less, at a rate equal to the County's actual borrowing costs.

D. The City agrees to commence construction of the Project by December 31, 2017. In the event the City determines the Project lacks feasibility or for any other reason elects to forego its construction, the City shall provide written notice to the County of its decision to forego construction and, refund all advanced fund amounts provided by County upon thirty (30) days of said notice to the County.

E. The City shall submit reports to the County describing in sufficient detail the progress of the Project. These reports shall be submitted to County at increments agreed to between the parties as appropriate for the various phases of the Project. Reports received by the City from contractors detailing the progress of the Project shall suffice for the requirements of this section, so long as the City has reviewed such reports and confirmed accuracy of the contractor's report.

F. The City will submit the plans for the Project to the County Engineer for review in accordance with the 2013 General Obligation Bond requirements for the Project. During the work on the Project, the County may review the documents, maps, plats, records, photographs, reports, and drawings pertaining to the Project and may inspect the work in progress, provided that it does not interfere with the work.

G. Upon completion of the Project, but no later than 60 days after, the City will furnish the County with a full accounting of the funds expended on the Project and an electronic copy of the record drawings showing the Project as constructed. The County Auditor may review the City's records regarding this Project.

H. If, after completion of Project and the City's receipt of the funds as stated in Section 3, there are funds remaining and/or savings from Project, City shall return such funds to County within 30 days of County acceptance of full accounting required in Section 5.G above.

Section 6. Liability

The City and County are entitled to the immunities and defenses of the Texas Tort Claims Act.

Section 7. Maintenance

Upon completion of the Project, each party shall maintain that portion of the Project within its own jurisdiction.

Section 8. Limit of Appropriation

A. Prior to the execution of this Agreement, the City has been advised by the County, and the City clearly understands and agrees, such understanding and agreement being of the absolute essence to this Agreement, that the County shall have available the total maximum amount of \$8,500,000, with a total County contribution not to exceed \$4,100,000 after reimbursement by the City, specifically allocated to fully discharge any and all liabilities that may be incurred by the County for the Project. Notwithstanding, the total maximum amount available, County shall not be obligated to pay any amount in excess of the amount contributed by the City to the Project.

B. The City does further understand and agree, said understanding and agreement also being of the absolute essence of this Agreement, that the total maximum funding that the City may become entitled to hereunder and the total maximum amount that the County will contribute to the Project, after reimbursement by the City, hereunder will not under any condition, circumstance or interpretation hereof exceed \$4,100,000.

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

Section 9. Insurance Requirements

City agrees that it will require Contractor's insurance policies name County as well as City as additional insureds on all policies except for Workers' Compensation and Professional Liability. Any such insurance policies shall include at least the following minimum coverage:

A. Worker's Compensation in the amount required by law. The policy shall include the All States Endorsement.

B. Comprehensive General Liability Insurance including contractual liability insurance, \$1,000,000 per occurrence, \$2,000,000 aggregate (defense costs excluded from face amount of policy).

C. Comprehensive Automobile Liability Insurance, including owned, non-owned and hired vehicles used for the Project, with bodily injury and property damage with a combined limit of not less than \$1,000,000 each occurrence.

D. City may require insurance in excess of the amount of coverage set out above, as it deems necessary, in such cases County shall remain an additional insured. City will provide County with proof of insurance within 30 days of City's award of the contract for the Project construction.

Section 10. Assignment

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

Section 11. No Third Party Beneficiaries

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

Section 12. Notices

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

County:	Fort Bend County Attn: Robert E. Hebert, County Judge 401 Jackson Street, 1 st Floor Richmond, Texas 77469
With a copy to:	Fort Bend County Engineering Department Attn: Richard Stolleis, P.E., County Engineer 301 Jackson Street Richmond, Texas 77469
City:	City of Missouri City, Texas Attn: City Manager 1522 Texas Parkway Missouri City, Texas 77489

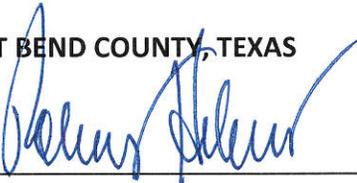
Section 13. Entire Agreement

This Agreement contains the entire agreement between the parties relating to the rights granted and the obligations assumed. Any modifications concerning this instrument shall be of no force or effect, unless a subsequent modification in writing is signed by all parties hereto.

Section 14. Execution

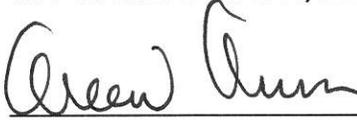
This Agreement has been executed by the City and the County upon and by the authority of their respective governing bodies. This Agreement shall become effective on the date executed by the final party, and remain in effect until September 30, 2020 or until the Project is complete and the obligations under Sections 4 and 5 of this Agreement are fulfilled, whichever is sooner.

FORT BEND COUNTY, TEXAS



Robert E. Hebert, County Judge

CITY OF MISSOURI CITY, TEXAS



Allen Owen, Mayor

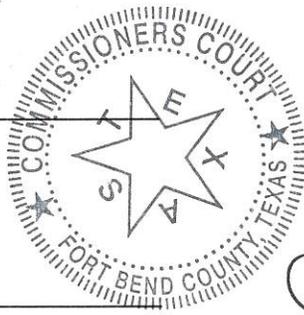
Date: 6-6-2017

Date: May 15, 2017

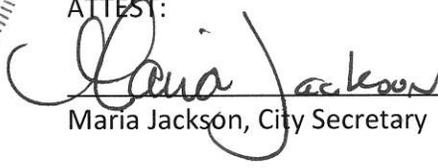
ATTEST:



Laura Richard, County Clerk

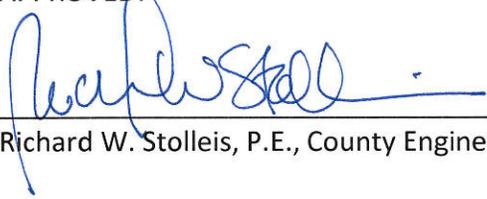


ATTEST:



Maria Jackson, City Secretary

APPROVED:



Richard W. Stolleis, P.E., County Engineer

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 4,100,000⁰⁰ to accomplish and pay the obligation of Fort Bend County under the terms of this Agreement.



Robert Ed Sturdivant, Fort Bend County Auditor



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

August 20, 2018

To: Mayor and City Council
Agenda Item: 10(a) Establishing regulations for massage establishments
Submitted by: Mike Berezin, Chief of Police

SYNOPSIS

This ordinance establishes regulations for massage establishments within the City.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live.

BACKGROUND

Law enforcement agencies throughout the country have found that illegal activity such as prostitution and sex trafficking are frequently conducted at massage establishments. This ordinance utilizes the City's police power as a home rule municipality to establish regulations for massage establishments so that the City may more effectively reduce, and the Missouri City Police Department can more effectively combat, such illegal activity and provide for the health, safety and welfare of Missouri City residents.

The proposed ordinance provides that each massage establishment within the City be licensed pursuant to state law. It also governs the hours of operations, prohibits the use of a massage establishment as sleeping quarters, and provides regulations for the cleanliness of such establishments. Finally, the proposed ordinance prohibits activities related to prostitution and sexually oriented businesses and gives peace officers a right of access to inspect massage establishments for compliance with state and local law.

SUPPORTING MATERIALS

1. Ordinance
2. Text of Ordinance with Changes Marked between First and Second Readings

STAFF'S RECOMMENDATION

Staff recommends that the City Council adopt the Ordinance.

Director Approval: Mike Berezin

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

ORDINANCE NO. O-18-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING CHAPTER 18, BUSINESSES, OF THE MISSOURI CITY CODE; ESTABLISHING REGULATIONS RELATED TO MASSAGE ESTABLISHMENTS; PROVIDING FOR REPEAL; PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City of Missouri City (the “City”) is a home rule municipality with all of the express and implied powers to enact ordinances that provide for and maintain the health, safety and welfare of its residents; and

WHEREAS, the City Council of the City of Missouri City finds it to be in the best interest of the residents of the City to adopt regulations for massage establishments in the interest of public safety; now therefore,

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

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

Section 2. The Missouri City Code is hereby amended by adding a new Article VIII of Chapter 18 to provide as follows:

“CHAPTER 18 – BUSINESSES

. . . .

ARTICLE VIII – MASSAGE ESTABLISHMENTS

Sec. 18-901. Definitions.

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

Communicable disease means Methicillin-resistant Staphylococcus aureus (MRSA), scabies, and tuberculosis.

Massage establishment means any place of business that advertises massage therapy or offers massage therapy as a service, but not a duly licensed physician, whether with or without the use of mechanical or therapeutic devices. The term shall not include

a place of business where a licensed massage therapist practices as a solo practitioner in a manner consistent with the applicable provisions of V.T.C.A., Occupations Code § 455.155, as amended.

Massage therapist means a person who practices or administers massage therapy or other massage services to a client for compensation. The term includes a licensed massage therapist, therapeutic massage practitioner, massage technician, masseur, masseuse, myotherapist, body massager, body rubber, or any derivation of those titles.

Massage therapy means the manipulation of soft tissue. The term includes, but is not limited to, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, Swedish gymnastics, and reflexology, either by hand or with mechanical or electrical apparatus for the purpose of body massage. Massage therapy may include the use of oil, salt glows, heat lamps, or hot and cold packs. Equivalent terms for massage therapy are massage, therapeutic massage, massage technology, myo-therapy, body massage, body rub or any derivation of those terms. Massage therapy is a health care service when the massage therapy is for therapeutic purposes. As used in this article, the terms "therapy" and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy or podiatry is required by law. Massage therapy does not constitute chiropractic practice.

Other massage services has the meaning ascribed in V.T.C.A., Occupations Code § 455.001.

Sec. 18-902. Massage establishment licensing requirements.

- (a) A massage establishment or a place of business that advertises massage therapy or offers massage therapy or other massage services must be licensed in accordance with V.T.C.A., Occupations Code ch. 455 and title 16, Texas Administrative Code, chapter 117, as such chapters may be amended.
- (b) A massage therapist or massage establishment must display the massage therapist or massage establishment's valid and current license in a prominent location available for inspection by the public.

Sec. 18-903. Hours of operation.

No massage establishment shall be kept open for any purpose between the hours of 10:00 p.m. and 8:00 a.m. on any day.

Sec. 18-904. Use of premises as living or sleeping quarters.

A person managing, keeping or operating a massage establishment shall not operate such establishment in connection, either directly or indirectly, with any place used for living or sleeping quarters.

Sec. 18-905. Maintenance of premises; sterilization and cleaning of equipment.

It shall be the duty of every person conducting or operating a massage establishment to keep the establishment at all times in a clean and sanitary condition. All instruments and mechanical or therapeutic devices, or parts thereof, that come into contact with the human body shall be sterilized by a modern and industry-approved method of sterilization before initial use, and any such instruments and devices, or parts thereof, after having been used upon one patron, shall be sterilized before being used upon another, and shall be rendered free from harmful organisms in a manner consistent with applicable state and local laws and regulations. Towels and linens furnished for use by one patron shall not be furnished for use by another until thoroughly laundered.

Sec. 18-906. Cleanliness and health of employees generally; accommodation of diseased patrons.

All massage therapists in a massage establishment shall wash their hands thoroughly before administering massage therapy to each patron accommodated. It is unlawful for a person suffering from a communicable disease to be employed by a massage establishment. No owner, manager, keeper, custodian, operator or employee of a massage establishment shall knowingly accommodate a person suffering from a communicable disease as a patron therein.

Sec. 18-907. List of employees.

The manager or person in charge of a massage establishment shall keep a list of the names and addresses of all employees, both on duty and off duty, and such list, in accordance with the law, shall be immediately available during regular business hours for inspection upon the request of any law enforcement officer or city health officer.

Sec. 18-908. Responsibility of employer for acts of employees.

The persons managing, keeping or operating a massage establishment shall be responsible for the acts of their employees in the conduct of such business. This section does not relieve an owner or an employee of potential liability pursuant to this article.

Sec. 18-909. Prohibited Operations.

(a) It shall be unlawful for any person operating a massage establishment to employ, in any capacity therein, any person who has been convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication for an offense involving prostitution or another sexual offense, or the practice or administration of massage therapy at or for a sexually oriented business.

(b) It shall be unlawful to operate a massage establishment as a sexually oriented business as defined by Section 18-701 of the Missouri City Code.

(c) It shall be unlawful for a person to commit a crime or offense involving prostitution or another sexual offense resulting in a conviction, or to which a plea

of nolo contendere or guilty was entered or deferred adjudication was received, on the premises of a massage establishment.

(d) It shall be unlawful for a massage therapist to dress in attire that:

(1) is transparent or substantially exposes the person's undergarments; or

(2) exposes the person's breasts, buttocks, anus or genitals.

(e) It shall be unlawful for any person operating a massage establishment to offer bathing or showering services.

Sec. 18-910. Access; right of entry.

A peace officer appointed or employed by a law enforcement agency of this state or a city health officer may enter the premises of a massage establishment for periodic inspections, in accordance with the law, to determine compliance with this article. If entry and access to the premises of the massage establishment is denied, entry may be made under the authority of a warrant to inspect the massage establishment.

Sec. 18-911. Cumulative effect; effect of state law.

The provisions of this article are cumulative of the applicable state law and regulations concerning massage establishments. To the extent there exists any conflict between the provisions of this article and applicable state law, the state law provision shall prevail to the extent of the conflict.”

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

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

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

PASSED and APPROVED on first reading this 21st day of May, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this 20th day of August, 2018.

Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

CHAPTER 18 – BUSINESSES

. . . .

ARTICLE VIII – MASSAGE ESTABLISHMENTS

Sec. 18-901. Definitions.

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

Communicable disease means Methicillin-resistant Staphylococcus aureus (MRSA), scabies, and tuberculosis.

Massage establishment means any place of business that advertises massage therapy or offers massage therapy as a service, but not a duly licensed physician, whether with or without the use of mechanical, ~~or~~ therapeutic ~~or bathing~~ devices. The term shall not include a place of business where a licensed massage therapist practices as a solo practitioner in a manner consistent with the applicable provisions of V.T.C.A., Occupations Code § 455.155, as amended.

Massage therapist means a person who practices or administers massage therapy or other massage services to a client for compensation. The term includes a licensed massage therapist, therapeutic massage practitioner, massage technician, masseur, masseuse, myotherapist, body massager, body rubber, or any derivation of those titles.

Massage therapy means the manipulation of soft tissue. The term includes, but is not limited to, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes ~~and~~, Swedish gymnastics, and reflexology, either by hand or with mechanical or electrical apparatus for the purpose of body massage. Massage therapy may include the use of oil, salt glows, heat lamps, ~~or~~ hot and cold packs, ~~or tub, shower or cabinet baths~~. Equivalent terms for massage therapy are massage, therapeutic massage, massage technology, myo-therapy, body massage, body rub or any derivation of those terms. Massage therapy is a health care service when the massage therapy is for therapeutic purposes. As used in this article, the terms "therapy" and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy or podiatry is required by law. Massage therapy does not constitute chiropractic practice.

Other massage services has the meaning ascribed in ~~Section 455.001 of the Texas~~ V.T.C.A., Occupations Code: § 455.001.

Sec. 18-902. Massage establishment licensing requirements.

- (a) A massage establishment or a place of business that advertises massage therapy or offers massage therapy or other massage services must be licensed
-

in accordance with V.T.C.A., Occupations Code ch. ~~455,455~~ and [title 16, Texas Administrative Code, chapter 117](#), as such ~~chapter~~[chapters](#) may be amended.

- (b) A massage therapist or massage establishment must display the massage therapist or massage establishment's valid and current license in a prominent location available for inspection by the public.

Sec. 18-903. Hours of operation.

No massage establishment shall be kept open for any purpose between the hours of 10:00 p.m. and 8:00 a.m. on any day.

Sec. 18-904. Use of premises as living or sleeping quarters.

~~No~~ [A person managing, keeping or operating a](#) massage establishment shall ~~be operated or conducted~~[not operate such establishment](#) in connection, either directly or indirectly, with any place used for living or sleeping quarters.

Sec. 18-905. Maintenance of premises; sterilization and cleaning of equipment.

It shall be the duty of every person conducting or operating a massage establishment to keep the establishment at all times in a clean and sanitary condition. All instruments and mechanical, ~~or~~ therapeutic ~~and bathing~~ devices, or parts thereof, that come into contact with the human body shall be sterilized by a modern and industry-approved method of sterilization before initial use, and any such instruments and devices, or parts thereof, after having been used upon one patron, shall be sterilized before being used upon another, and shall be rendered free from harmful organisms in a manner consistent with applicable state and local laws and regulations. Towels and linens furnished for use ~~of~~[by](#) one patron shall not be furnished for use ~~of~~[by](#) another until thoroughly laundered.

Sec. 18-906. Cleanliness and health of employees generally; accommodation of diseased patrons.

All massage therapists in a massage establishment shall wash their hands thoroughly before administering massage therapy to each patron accommodated. ~~No owner manager, keeper, custodian or operator of a massage establishment shall employ~~[It is unlawful for](#) a person suffering from a communicable disease ~~to be employed by a massage establishment~~. No owner, manager, keeper, custodian, operator or employee of a massage establishment shall knowingly accommodate a person suffering from a communicable disease as a patron therein.

Sec. 18-907. List of employees.

The manager or person in charge of a massage establishment shall keep a list of the names and addresses of all employees, both on duty and off duty, and such list, in accordance with the law, shall be immediately available during regular business hours for inspection upon the request of any law enforcement officer or city health officer.

Sec. 18-908. Responsibility of employer for acts of employees.

The persons managing, keeping or operating a massage establishment shall be responsible for the acts of their employees in the conduct of such business. This section does not relieve an owner or an employee of potential liability pursuant to this article.

Sec. 18-909. Prohibited Operations.

 (a) It shall be unlawful for any person operating a massage establishment to employ, in any capacity therein, any person who has been convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication for an offense involving prostitution or another sexual offense, or the practice or administration of massage therapy at or for a sexually oriented business.

 (b) It shall be unlawful to operate a massage establishment as a sexually oriented business as defined by Section 18-701 of the Missouri City Code.

 (c) It shall be unlawful for a person to commit a crime or offense involving prostitution or another sexual offense resulting in a conviction, or to which a plea of nolo contendere or guilty was entered or deferred adjudication was received, on the premises of a massage establishment.

 (d) It shall be unlawful for a massage therapist to dress in attire that:

(1) is transparent or substantially exposes the person's undergarments;
or

(2) ~~in a manner that~~ exposes the person's breasts, buttocks, anus or genitals.

 (e) It shall be unlawful for any person operating a massage establishment to offer bathing or showering services.

Sec. 18-910. Access; right of entry.

A peace officer appointed or employed by a law enforcement agency of this state or a city health officer may enter the premises of a massage establishment for periodic inspections, in accordance with the law, to determine compliance with this article. If entry and access to the premises of the massage establishment is denied, entry may be made under the authority of a warrant to inspect the massage establishment.

Sec. 18-911. Cumulative effect; effect of state law.

The provisions of this article are cumulative of the applicable state law and regulations concerning massage establishments. To the extent there exists any conflict between the provisions of this article and applicable state law, the state law provision shall prevail. to the extent of the conflict."

Document comparison by Workshare on Friday, August 17, 2018 6:41:09 PM

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Total changes	59



CITY COUNCIL AGENDA ITEM COVER MEMO

August 20, 2018

To: Mayor and City Council
Agenda Item: 11(a) Department and Planning Schedule of fees
Submitted by: Otis Spriggs, AICP, Director of Development Services
Kirk Allen, Chief Building Code Official

SYNOPSIS

This is the first and only reading of a resolution amending the City of Missouri City (the "City") Development and Planning schedule of fees to account for certain consultant plan review, to set certain fees for third party plan reviews, inspections and expedited plan review services regarding commercial development review within the City's jurisdiction.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a Great Place to Live
- Quality Development Through Buildout

BACKGROUND

Historically, the City has procured third-party contractual plan review services within the Building Inspections Department for the purposes of supplementing the reviewing of commercial permit applications.

With efforts of refining and streamlining the review and approval process for permits, the Leadership Team hopes to provide for as-needed Building Plan Review Services and Landscape Architecture Plan Review Services in compliance with applicable state and federal laws, and the current version of the Missouri City, Texas, Code of Ordinances.

The third-party contractor(s) will enter into agreement with the city to provide all necessary support to staff in fulfilling plan review requirements. All requests for services under this agreement shall be on an "as needed" basis as demands for new development and redevelopment fluctuates from month to month and from year to year. The anticipated list of services are as follows:

- Development Review Coordination
- Commercial Ground Up Construction/Building Plan Reviews
- Major Construction Improvement Permit Review
- Fire Inspections Reviews
- Site and Landscaping Reviews
- Expedited design review fee (non-residential-architectural, site plan, landscape reviews and related inspections).

The proposed resolution establishes associated fees for billing of third-party review and expediting review services to applicants, and allowing for efficiency of gaining final approvals. An expedited review of 10 days may be provided, if feasible. The City, in its sole discretion, will determine whether an expedited review is

feasible. Staff has listed the existing fees (as highlighted in the proposed resolution) and the proposed amended list of fee formulas for inspection, expedited review services, and development coordination.

BUDGET ANALYSIS

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

SUPPORTING MATERIALS

1. Resolution
2. Schedule of Fees Document all existing fees and proposed fees

STAFF'S RECOMMENDATION

Consider adopting the resolution amending the City of Missouri City (the "City") Development and Planning schedule of fees.

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

**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, APPROVING AND ADOPTING THE DEVELOPMENT AND PLANNING SCHEDULE OF FEES; REPEALING RESOLUTION NO. R-17-19; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND MAKING CERTAIN FINDINGS RELATING THERETO.

* * * * *

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

Section 1. The fees associated with Development and Planning shall be in the amounts specified in the Schedule of Fees attached hereto as Exhibit "A" and made a part hereof.

Section 2. The officers and employees of the City are hereby authorized and directed to execute such instruments and take such actions as are consistent with the provisions of this Resolution.

Section 3. Repeal. Resolution No. R-17-19, adopted on August 21, 2017, is repealed as of the effective date of this Resolution. Additionally all other resolutions or parts of resolutions, if any, in conflict herewith, shall be and are expressly repealed to the extent of such conflict.

Section 4. That this Resolution will become effective on August 21, 2018.

Section 5. 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 20th day of August, 2018.

Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

EXHIBIT "A"

SCHEDULE OF FEES

DESCRIPTION		FEE
I.	<u>In General</u>	
	A. Commercial change of occupancy	
	1. Change of occupancy inspection	\$100.00
	2. General electric inspection	\$50.00
	3. Site inspection	\$25.00
	B. Re-inspections¹	
	1. First re-inspection	\$25.00
	2. Subsequent re-inspections will increase by \$25.00	
	C. Temporary construction trailer/dumpster and/or storage container	
	1. Permit fee	\$100.00 each
II.	<u>Building</u>	
	A. Plan-review fee	

¹ Where there is a conflict between a general re-inspection fee and a specific re-inspection fee, the specific re-inspection fee shall apply.

	<p>1. When the valuation of the proposed construction exceeds \$1,000.00 and the City requires a plan to be submitted, a plan-review fee shall be paid to the City at the time of submitting plans and specifications for review. Such plan-review fee is <u>in addition</u> to the building permit fee.</p>	<p>1/2 of the required building permit fee for the initial review; \$0.00 for the first resubmittal²; \$75.00 per hour with a two hour minimum for each additional resubmittal</p>
	<p>2. Verification of previously approved plans</p>	<p>\$1.00 per page</p>

² A building plan resubmittal includes, but is not limited to, a revision to a submitted plan in response to staff comments, a customer-initiated modification to a submitted plan, and any revision to a submitted plan after the issuance of a building permit directly related to such plan.

	B. Building permit fee (based on the valuation of the proposed construction)	
	1. Less than \$1000.00	\$15.00
	2. \$1,000.00 to \$49,999.99	\$15.00 for the first \$1,000 plus \$5.00 for each additional thousand or fraction thereof, to and including \$49,999.99
	3. \$50,000.00 to \$99,999.99	\$260.00 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof, to and including \$99,999.99
	4. \$100,000.00 to \$499,999.99	\$460.00 for the first \$100,000 plus \$3.00 for each additional thousand or fraction thereof, to and including \$499,999.99
	5. \$500,000.00 and up	\$1,600.00 for the first \$500,000 plus \$2.00 for each additional thousand or fraction thereof

	C. Moving fee	
	1. For the moving of any building or structure, the fee shall be:	\$100.00
	D. Demolition fee	
	For the demolition of any building or structure, the fee shall be:	
	1. 0 to less than 100,000 cu. ft.	\$ 50.00
	2. 100,000 cu. ft. and over	\$0.50/1000 cu. ft.
	E. Contractor registration fee	
	1. Plumbing	\$0.00/year
	2. Electrical	\$0.00/year
	3. Mechanical	\$80.00/year
	4. Building	\$80.00/year
	5. Sign	\$80.00/year
	6. Swimming pool	\$80.00/year
	7. Irrigation	\$80.00/year
III.	<u>Plumbing</u>	
	Permit application fee	\$15.00
	Plumbing fixture or trap, or set of fixtures on one trap (including water and drainage piping)	\$5.00 each
	Water heater	\$10.00 each
	Water treating equipment	\$10.00 each
	Boiler	\$25.00 each

	Interceptor or separator	\$25.00 each
	Sample well	\$10.00 each
	Storm inlet or area drain	\$5.00 each
	Storm sewer (per 200 linear feet)	\$15.00 each
	Roof drain	\$5.00 each
	Sanitary sewer (per 200 linear feet)	\$15.00 each
	Manhole	\$5.00 each
	Water piping	\$15.00 each
	Residential irrigation system	\$30.00 each
	Commercial irrigation system	\$50.00 each
	Backflow prevention device	\$10.00 each
	Vacuum breaker	\$2.50 each
	Water heating equipment replacement	\$30.00 each
	All other plumbing-related installations	\$5.00 each
	Homeowner plumbing permit	\$25.00
IV.	<u>Gas</u>	
	Permit application fee	\$ 15.00
	Gas piping system	\$15.00 each
	Fixture/gas opening	\$5.00 each
	Furnace, boiler, water heater or other heating appliance	\$5.00 each
	All other gas-related installations	\$5.00 each
	Gas test	\$20.00 each
	Temporary gas cut in	\$25.00 each

		Emergency same day gas test	\$85.00 each
V.		<u>Electrical</u>	
	A.	General electrical fees	
		1. Permit application fee	\$15.00
		2. Meter loop and service	\$ 15.00 each
		3. Lighting fixture or receptacle	\$.50 each
		4. Fixed appliances	\$5.00 each
		5. Temporary electric pole	\$15.00 each
		6. Temporary wiring	\$5.00 each
		7. Temporary cut in	\$ 25.00 each
		8. Sub-panel	\$5.00 each
		9. Transformer	\$5.00 each
		10. Generator (residential)	\$35.00 each
		11. Generator (commercial)	\$70.00 each
		12. Area lighting pole	\$25.00 each
		13. Underground wire installation (per 100 linear feet)	\$10.00
		14. Reconnect fee	\$ 20.00 each
		15. Sign circuit	\$5.00 each
		16. Special event wiring	\$25.00 each
		17. Emergency same day reconnect fee	\$85.00 each
		18. All other electrical-related installations	\$15.00 each

	B. Motors	
	1. Less than 10 HP	\$5.00 each
	2. 10 HP to less than 100 HP	\$15.00 each
	3. 100 HP and over	\$25.00 each
	4. X-ray machines	\$10.00 each
VI.	<u>Mechanical</u>	
	Permit application fee	\$15.00
	Duct system	Minimum \$20.00 each, plus \$2.00 per outlet
	Clothes dryer vent	\$5.00 each
	Residential exhaust fan	\$5.00 each
	Fire damper	\$10.00 each
	Refrigeration	Minimum \$25.00 per unit plus \$3.00 per HP
	New cooling tower installation	\$100.00 each plus \$1.00 per ton
	Cooling tower replacement	\$100.00 each
	Commercial vent hood and exhaust	\$30.00 each
	Heating unit only	\$30.00 each
	Evaporator coil and drain	\$15.00 each
	Air conditioning units only	\$30.00 each
	Combined heating and air conditioning system	Minimum \$30.00 plus \$3.00 per ton

		VAV, mix boxes	\$15.00 each
		Commercial ventilating equipment or fans	\$50.00 each
		All other mechanical-related installations	\$15.00 each
VII.		<u>Infrastructure</u>	
	A.	Major construction improvement and right of way permits³	
		1. Percent of construction costs	1% for first \$500,000 valuation and .75% for all valuation exceeding \$500,000

³ This subsection does not include fees for network providers, as provided by V.T.C.A., Local Government Code Ch. 284. See subsection VII.D below.

	B. Plan review	
	1. Construction Plans 0 acres to less than 6 acres 6.00 acres to less than 16 acres 16.00 acres to less than 100 acres 100 acres and greater	\$200.00-Initial review; \$100.00 1 st resubmittal; \$50.00 for each additional resubmittal \$250.00 Initial review; \$125.00 1 st resubmittal; \$65.00 for each additional resubmittal \$350.00 Initial review; \$175.00 1 st resubmittal; \$85.00 for each additional resubmittal \$500.00 Initial review; \$250.00 1 st resubmittal; \$125.00 for each additional resubmittal
	2. Grading Plans (area being recontoured) 0 acres to less than 3 acres 3 acres to less than 15 acres 15 acres or greater	\$25.00 each \$50.00 each \$100.00 each

		3. Commercial Development	\$100.00 Initial submittal; \$50.00 1 st resubmittal; \$25.00 for each additional resubmittal
		4. Major Landscaping	\$200.00 Initial submittal; \$100.00 1 st resubmittal; \$50.00 for each additional resubmittal
	C.	Variation review	
		1. Variation review fee	\$50.00 each
	D.	Wireless Services Right-of-Way Fees	
		1. Network node right-of-way permit application	The lesser of 1% of the valuation of the project or \$100.00
		2. Network nodes right-of-way permit application	\$500.00 per application for up to five (5) network nodes; \$100.00 for each additional node
		3. Pole right-of-way permit application	\$200.00
		4. Transport facility right-of-way permit application	The lesser of 1% of the valuation of the project or \$100.00
		5. Resubmission Fee	\$50.00

		6. Monthly rate for transport facilities	\$28.00 per month per network node for which backhaul is provided by the transport facility
		7. Annual rate for network nodes on City service poles	\$20.00 per year per service pole
		8. Annual rate for network providers	\$250.00 per network node in right-of-way
		9. Annual rate adjustment	After the first year after the effective date of this Resolution, and every year thereafter, the annual rate set forth in Subsection VII. D.6 above shall be increased by an amount equal to one-half (1/2) the annual change, if any, in the consumer price index.

VIII.		<u>Fences</u>	
		Fences over six feet (the first 50 linear feet)	\$25.00
		Each additional 50 linear feet or part thereof	\$10.00
IX.		<u>Pools</u>	
		Public/semi-public	\$500.00
		Private	\$100.00
		Self-contained spas	\$25.00
X.		<u>Signs</u>	
	A.	Plan review fees Plan review fees for a sign are <u>in addition</u> to a sign permit fee.	
		1. Master sign plan review	\$150.00; \$0.00 for the first resubmittal; \$30.00 for each additional resubmittal
		2. Master sign plan amendment (modification after approval of a master sign plan) review	\$50.00; \$0.00 for the first resubmittal; \$30.00 for each additional resubmittal
		3. Sign permit plan review	50% of the cost of sign permit fee; \$0.00 for the first resubmittal; \$30.00 for each additional resubmittal
	B.	Sign permit fees A sign permit fee is <u>in addition</u> to all applicable plan review fees.	
		1. Signs 96 square feet or less	\$100.00/each

		2. Signs 97 square feet or more	\$100.00 base fee plus \$.50 each sq. ft. over 96 or fraction thereof
		3. Searchlight	\$25.00
		4. Special event signage (no fee, but permit required)	\$0.00
		5. Temporary display	\$25.00
	C.	Re-inspection fees	
		1. Site re-inspection	\$50.00 per re-inspection

XI.		<u>Fire</u>	
	A.	Operational permits- unless otherwise indicated, operational permits shall be renewed annually and will be inspected annually by the fire code official	
		1. Section 105.6.1 Adult or child day care facility	\$50.00
		2. Section 105.6.2 Carbon dioxide systems used in beverage dispensing applications (permitted and inspected every two years)	\$75.00/every 2 years
		3. Section 105.6.3 Carnivals or fairs (per event)	\$500.00
		4. Section 105.6.4 Compressed gases	\$50.00
		5. Section 105.6.5 Dry cleaning (permitted and inspected every two years)	\$50.00/every 2 years
		6. Section 105.6.6 Explosives (including, but not limited to, fireworks, pyrotechnic special effects materials, or pyrotechnic special effects) (per fireworks display event) This fee includes the cost of firefighters required to be present at a fireworks display location. Aerial firework displays sponsored by the City of Missouri City shall be exempt from payment of the listed permit fees, but shall obtain a permit and have the required plan review and inspections.	\$1,000.00
		7. Section 105.6.7 Foster home	\$25.00
		8. Section 105.6.8 Flammable and combustible liquids	\$50.00
		9. Section 105.6.9 Hazardous materials	\$50.00
		10. Section 105.6.10 Health care facility (hospitals, nursing homes, health clinics, dialysis clinics):	
		• 1-100 licensed beds	\$100.00
		• 101-150 licensed beds	\$150.00
		• Over 150 licensed beds	\$200.00

	11. Section 105.6.11 High-piled storage (permitted and inspected every two years)	\$100.00/every 2 years
	12. Section 105.6.12 Hot work operations (per site)	\$100.00
	13. Section 105.6.13 Pool supply retail establishment (permitted and inspected every two years)	\$25.00/every 2 years
	14. Section 105.6.14 Residential care facility	
	a. 3-5 licensed occupancy	\$100.00
	b. 6-16 licensed occupancy	\$150.00
	c. Over 16 licensed occupancy	\$200.00
	15. Section 105.6.15 Rooftop heliports	\$500.00
	16. Section 105.6.16 Temporary storage tanks (per tank)	\$50.00
	17. Section 105.6.17 Tire-rebuilding plants	\$500.00
	B. Construction permits	
	1. Section 105.7.1 Automatic fire-extinguishing systems:	
	a. Fire sprinkler system installation (first 10,000 square feet)	\$100.00
	b. Each additional 10,000 square feet	\$50.00
	c. Remove, add, or relocate 1-25 sprinkler heads	\$25.00
	d. Remove, add, or relocate over 25 sprinkler heads	\$100.00
	e. Fixed fire extinguishing systems	\$50.00
	2. Section 105.7.2 Battery systems (liquid capacity over 50 gallons)	\$100.00
	3. Section 105.7.3 Compressed gases	\$100.00
	4. Section 105.7.4 Fire alarm and detection systems and related equipment (automatic, manual, and/or monitored)	\$100.00

	5. Section 105.7.5 Fire pumps and related equipment	\$100.00
	6. Section 105.7.6 Flammable and combustible liquids	\$100.00
	7. Section 105.7.7 Gates or barriers across roadways or private drives	\$25.00
	8. Section 105.7.8 Hazardous materials	\$150.00
	9. Section 105.7.9 Industrial ovens	\$50.00
	10. Section 105.7.10 LP-gas	\$100.00
	11. Section 105.7.11 Private fire hydrants (per hydrant installation)	\$25.00
	12. Section 105.7.12 Smoke control or smoke exhaust systems	\$50.00
	13. Section 105.7.13 Spraying or dipping	\$150.00
	14. Section 105.7.14 Standpipe systems (per 2 connections)	\$50.00
	15. Section 105.7.15 Temporary membrane structures and tents	\$25.00
	16. Section 105.7.16 Underground private fire mains	\$50.00
	Single family residential automatic fire sprinklers shall be exempt from payment of the listed permit fees, but shall obtain a permit and have the required plan review and inspections.	
C.	Re-inspection fees	
	1. Site re-inspection	\$50.00 per re-inspection
	2. Subsequent re-inspections will increase by \$25.00	

XII.		<u>Food Establishment Permit Fees</u>	
	A.	Health fees	
		1. 1 to 4 employees	\$200.00/yr
		2. 5 to 9 employees	\$300.00/yr
		3. 10 to 25 employees	\$400.00/yr
		4. 26 to 50 employees	\$500.00/yr
		5. 51 to 100 employees	\$600.00/yr
		6. 101 or more employees	\$700.00/yr
		7. Mobile vending unit (1 inspection/year)	\$200.00/yr
		8. Day Care Centers – with kitchens (2 inspections/year)	\$100.00/yr
		9. Day Care Centers – without kitchens (2 inspections/year)	\$ 75.00/yr
		10. Nonprofit establishments of all sizes	\$ 50.00/yr
		11. Pre-opening health inspection	\$100.00
		12. Owner-initiated inspection	\$100.00
	B.	Temporary health permit	
		1. Base fee, including first day	\$55.00
		2. For each additional day of event	\$22.00
		3. Renewal fee following closure of more than 30 days; percent of annual fee plus re-inspection fee	25%
	C.	Health re-inspection Fees	
		1. First re-inspection fee	\$50.00
		2. Second re-inspection fee	\$100.00
		3. Third re-inspection fee	\$150.00
		4. Subsequent re-inspections will increase by \$50.00	

XIII.	<u>Planning Fees</u>	
	Zoning map amendment applications	\$450.00 plus \$25 per acre
	Specific use permit & planned development applications	\$1,200.00
	Conceptual plan applications (residential and non-residential)	\$400.00 plus \$2.00 per residential lot plus \$10.00 per acre not divided into residential lots
	Preliminary plat applications (residential and non-residential)	\$400.00 plus \$6.00 per residential lot plus \$30.00 per acre not divided into residential lots
	Final plat applications (residential and non-residential)	\$500.00 plus \$12.50 per residential lot plus \$80 per acre not divided into residential lots
	Large acreage tract plat	\$300.00
	Minor correction or amending plat	\$300.00
	Vacation of plat	\$1000.00
	Exemptions from platting	\$300.00
	Zoning Board of Adjustment (Appeals/Variance) request	\$300.00
	Discussion items- per P & Z meeting	\$600.00
	Extension of plat approval	\$250.00

	Design review fee (non-residential-architectural, site plan, landscape reviews and related inspections)	\$0.05 per square foot of the entire site with a minimum of \$500.00 and a maximum of \$1,500 per platted reserve
	Design review fee for each additional building	\$.05 per square foot of the building with a maximum of \$200 per building
	Resubmittal for design review (in conjunction with a building permit application)	\$200.00 each resubmittal
	Child-Care Home Site Approval	\$50.00
	Child-Care Center Site Approval (for existing buildings and structures only)	\$50.00
XIV.	<u>After-Hours or Timed Non-Emergency Inspection</u>	
	Hourly fee (2 hours minimum for after-hours inspections)	\$65.00 per hr
XV.	<u>Double Fees</u>	
	With respect to any permit fees enumerated above, where work is started prior to obtaining the applicable permit, the fees specified shall be doubled. Such doubled fee shall not relieve any person from fully complying with the requirements in the execution of the work nor from any other penalties prescribed in the code.	
XVI.	<u>Temporary Parking, Storage, and/or Use of a Recreational Vehicle Owned by an Out-of-Town Guest at an Occupied Residence</u>	
	Permit fee for a maximum period not to exceed ten (10) consecutive days. A maximum of three (3) such permits shall be issued per twelve (12) month period per occupied residence.	\$25.00 each

XVII.		<u>Residential Rental Registration</u>	
		Permit for Residential Rental Registration for units not exempt under Subsection 14-527 of the Code of Ordinances	\$50.00 per dwelling unit/year
		Permit for Residential Rental Registration for units exempt under Subsection 14-527 of the Code of Ordinances	\$10.00 per dwelling unit/year
XVIII.		<u>Portable Storage Unit Placement</u>	
		Permit for placement of portable storage unit	\$25.00 per portable storage unit
XIX.		<u>Manufactured Homes</u>	
		License for manufactured home parks ⁴	\$25 per manufactured home stand
		Permit for parking manufactured homes	\$25 per manufactured home
		Replacement permit for parking manufactured homes	\$10 per permit
XX.		<u>Temporary Use Permit for the Provision of Relief Services</u>	
		Temporary use permit for the provision of relief services approved in accordance with Chapter 22, Article IV of the Missouri City Code	\$0
XXI.		<u>Tobacco Bar Permit</u>	
		Permit for the operation of a tobacco bar pursuant to Subsection 70-107(4) of the Missouri City Code	\$50.00
XXII.		<u>Recording Fees</u>	
		Deeds	\$11 for the first page; \$4 for subsequent pages
		Easements	\$11 for the first page; \$4 for subsequent pages
		Liens	\$11 for the first page; \$4 for subsequent pages

⁴ The manufactured home park license fee includes the cost of a site plan review.

		Releases	\$10 for the first page; \$5 for subsequent pages
XXIII.		Consultant Fees	
		1. Plan review	Plan review fee plus the actual cost of the consultant
		2. Inspection	Inspection fee plus the actual cost of the consultant
XXIV.		Expedited Plan Review Fees (plans may be reviewed in 10 days or less, if feasible) ⁵	
		1. Building	\$65
		2. Plumbing	\$65
		3. Gas	\$65
		4. Electrical	\$65
		5. Mechanical	\$65
		6. Signs	\$65
		7. Fire	\$65
		8. Food establishment	\$65
		9. Planning review (design, including, non-residential-architectural, site plan, and landscape reviews)	\$65
		10. Major construction improvement	The applicable fee for such plan review shall be doubled

⁵ An expedited plan review may be provided, if feasible, for the listed disciplines. The expedited plan review fee is required per listed discipline and is in addition to any other required fee, including, but not limited to, the standard plan review or permit fee. The City, in its sole discretion, will determine whether an expedited plan review is feasible. The City will use its best effort to determine feasibility before accepting an expedited plan review fee payment. If the City is unable to facilitate a plan review within 10 days or less, a refund will not be provided.



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

August 20, 2018

To: Mayor and City Council
Agenda Item: 11(b) Consider a resolution amending the authorized representatives to the Texas Local Government Investment Pool.
Submitted by: LaToya Jasper, Assistant Director of Financial Services

SYNOPSIS

The City needs to update the signature card on file with TexPool to reflect the removal of Edena Atmore, the Director of Financial Services, from the account and to add Etta Taylor-Edwards as an authorized representative, to maintain the City's trust account.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

TexPool requires that an Authorized Representative of the Participant (City of Missouri City) be deleted by a written instrument when the current representative is no longer employed by the Participant. TexPool also requires that the Participant, by an amending resolution signed by the Participant, add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant. In compliance with TexPool requirements, the individuals detailed in Exhibit A are being added as Authorized Representatives on the city of Missouri City's Texas Local Government Investment Pool account.

SUPPORTING MATERIALS

1. Resolution, including Exhibit A, Signature Card to be signed (*forthcoming*)

STAFF'S RECOMMENDATION

Adopt the resolution updating the signature card with TexPool to reflect the noted changes to the account.

Director Approval: Edena J. Atmore, Director of Financial Services

**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, AMENDING AUTHORIZED REPRESENTATIVES TO THE TEXAS LOCAL GOVERNMENT INVESTMENT POOL.

* * * * *

WHEREAS, the City of Missouri City, Texas, Location Number 78733, (“Participant”) is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool (“TexPool/Texpool Prime”), a public funds investment pool, was created on behalf of entities whose investment objectives in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; now therefore,

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

Section 1. That the individuals, whose signatures appear in this Resolution as shown on Exhibit A, attached hereto and made a part hereof, are “Authorized Representatives” of the Participant and are each hereby authorized to transmit funds for investment in TexPool/Texpool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

Section 2. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant’s TexPool/Texpool Prime account or (2) is no longer employed by the Participant.

Section 3. That the Participant may, by an amending resolution signed by the Participant, add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant.

Section 4. *Repeal.* Resolution No. R-16-21, adopted on June 20, 2016, is hereby repealed. All other resolutions or parts of resolutions, if any, in conflict herewith, shall be and are expressly repealed to the extent of such conflict.

Section 5. 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.

Section 6. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation.

PASSED and APPROVED this 20th day of August, 2018.

Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

Exhibit A

TEXPOOL/TEXPOOL PRIME AUTHORIZED REPRESENTATIVES

List the Authorized Representatives of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Name: **Charles William Atkinson, Jr.** Title: **Assistant City Manager**

Signature

Phone Number: (281) 403-8696

Email: batkinson@missouricitytx.gov

2. Name: **Corrine Hudson** Title: **Senior Accountant**

Signature

Phone Number: (281) 403-8621

Email:
Corrine.hudson@missouricitytx.gov

3. Name: **Etta Taylor-Edwards** Title: **Senior Accountant**

Signature

Phone Number: (281) 403-8524

Email: etta.taylor-
edwards@missouricitytx.gov

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name: **Charles William Atkinson, Jr.**



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

August 20, 2018

To: Mayor and City Council
Agenda Item: 11(c) Consideration and approval of a resolution authorizing publication of Notice of Intention to issue 2018 Certificates of Obligation.
Submitted by: LaToya Jasper, Assistant Director of Financial Services

SYNOPSIS

The City intends to issue Certificates of Obligation in a principal amount not to exceed \$2,100,000 for construction costs associated with the purchase of water, sewer, utilities, drainage and street improvements for Lake Shore Harbour Sections Four and Five.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City
- Have quality development through buildout

BACKGROUND

This item is to consider authorizing a resolution of the City Council of the City of Missouri City authorizing publication of notice of intention to issue Certificates of Obligation in a principal amount not to exceed \$2,100,000 for the construction costs associated with the purchase of water, sewer, utilities, drainage and street improvements for Lake Shore Harbour Sections Four and Five.

The debt issued to construct the transmission main will be payable from ad valorem taxation and a limited (in an amount not to exceed \$10,000) subordinate pledge of certain revenues of the waterworks and sewer system of the City. Distribution of a POS (Preliminary Official Statement) relating to such certificates and authorizing over matters related thereto has been prepared by our bond attorney.

BUDGET ANALYSIS

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
See Note					N/A

Note: The funding source for the C.O. will be ad valorem taxation and a limited (in an amount not to exceed \$10,000) subordinate pledge of certain revenues of the waterworks and sewer system of the City.

Purchasing Review: N/A
Financial/Budget Review: Edena J. Atmore, Director of Financial Services

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

SUPPORTING MATERIALS

1. Resolution

STAFF'S RECOMMENDATION

Approve the resolution authorizing publication of notice of intention to issue Certificated of Obligation in a principal amount not to exceed \$2,100,000.

Director Approval:

Edena J. Atmore, Director of Financial Services

**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, AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION TO ISSUE CITY OF MISSOURI CITY, TEXAS CERTIFICATES OF OBLIGATION IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,100,000 FOR THE CONSTRUCTION OF PUBLIC WORKS AND ANY ITEMS RELATED THERETO AND FOR THE PAYMENT OF CONTRACTUAL OBLIGATIONS FOR PROFESSIONAL SERVICES; AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT RELATING TO SUCH CERTIFICATES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, the City Council (the "City Council") of the City of Missouri City, Texas (the "City"), is authorized to issue certificates of obligation to pay contractual obligations to be incurred for the construction of public works, any items related thereto, and for the payment of contractual obligations for professional services pursuant to Subchapter C of Chapter 271, Texas Local Government Code, as amended; and

WHEREAS, the City Council has determined that it is in the best interest of the City and otherwise desirable to issue certificates of obligation in a principal amount not to exceed \$2,100,000 (the "Certificates of Obligation") for the construction of public works, more specifically, (i) the purchase of water, sewer, utilities, drainage and street improvements for Lake Shore Harbour Section Four; (ii) the purchase of water, sewer, utilities, drainage and street improvements for Lake Shore Harbour Section Five, and any items related thereto; and for the payment of contractual obligations for professional services rendered in connection with the construction of such public works; and

WHEREAS, prior to the issuance of the Certificates of Obligation, the City is required to publish notice of its intention to issue the Certificates of Obligation (the "Notice") in a newspaper of general circulation in the City stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates of Obligation, (ii) the maximum amount of Certificates of Obligation proposed to be issued, (iii) the purpose for which the Certificates of Obligation are to be issued, and (iv) the manner in which the Council proposes to pay for the Certificates of Obligation; and

WHEREAS, for purposes of providing for the sale of the Certificates of Obligation, the City Council intends to authorize the preparation of a Preliminary Official Statement (the "Preliminary Official Statement") to be used in the public offering of the Certificates of Obligation; and

WHEREAS, the City Council has been presented with and has examined the proposed form of the Notice and finds that the form and substance thereof are satisfactory, and that the recitals and findings contained therein are true, correct and complete; now therefore,

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

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. Attached hereto and marked "**Exhibit A**" is a copy of the Notice, the form and substance of which are hereby adopted and approved.

Section 3. The Mayor or the City Secretary shall cause the Notice to be published, in substantially the form attached hereto, in a newspaper, as described in Section 2051.044, Texas Government Code, of general circulation in the City for two consecutive weeks with the date of first publication to be before the 30th day before the date tentatively set for the passage of the ordinance authorizing the issuance of the Certificates of Obligation.

Section 4. The City Council hereby approves the preparation and distribution by the City's financial advisor to prospective purchasers of the Certificates of the Preliminary Official Statement, as the same may be completed, modified, or supplemented with the approval of the Mayor or other authorized officers and agents of the City.

Section 5. The Mayor, City Secretary and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this Resolution.

PASSED, APPROVED and ADOPTED this 20th day of August, 2018.

Allen Owen
Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson
City Secretary

E. Joyce Iyamu
City Attorney

EXHIBIT A
NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Missouri City, Texas (the "City") will meet at its regular meeting place in the City Council Chamber at City Hall, 1522 Texas Parkway, Missouri City, Texas at 7:00 p.m. on the 15th day of October, 2018, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City's certificates of obligation, payable from ad valorem taxation and a limited (in an amount not to exceed \$10,000) subordinate pledge of certain revenues of the waterworks and sewer system of the City, in the maximum aggregate principal amount of \$2,100,000, bearing interest at any rate or rates, not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council at the time of issuance and maturing over a period of years not to exceed forty (40) years from the date thereof, for the purpose of evidencing the indebtedness of the City to pay all or any part of the contractual obligations to be incurred for the purpose of (1) the construction of public works, more specifically, (i) the purchase of water, sewer, utilities, drainage and street improvements for Lake Shore Harbour Section Four; and (ii) the purchase of water, sewer, utilities, drainage and street improvements for Lake Shore Harbour Section Five; and any items related thereto, and (2) professional services rendered in connection with item (1).

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this _____ day of August, 2018.

Maria Jackson, City Secretary
City of Missouri City, Texas



CITY COUNCIL AGENDA ITEM COVER MEMO

August 20, 2018

To: Mayor and City Council
Agenda Item: 11(d) Consideration and approval of a resolution authorizing publication of Notice of Intention to issue Certificates of Obligation.
Submitted by: LaToya Jasper, Assistant Director of Financial Services

SYNOPSIS

The City intends to issue Certificates of Obligation in a principal amount not to exceed \$21,000,000 for construction costs associated with the expansion of a surface water treatment plant.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City
- Have quality development through buildout

BACKGROUND

This item is to consider authorizing a resolution of the City Council of the City of Missouri City authorizing publication of notice of intention to issue Certificates of Obligation in a principal amount not to exceed \$21,000,000 for the construction costs associated with expansion of a surface water treatment plant, and any items related thereto, and for the payment of contractual obligations for professional services rendered in connection with the construction of such public works.

The debt issued to construct the transmission main will be payable from ad valorem taxation and a limited (in an amount not to exceed \$10,000) subordinate pledge of certain revenues of the waterworks and sewer system of the City. Distribution of a POS (Preliminary Official Statement) relating to such certificates and authorizing over matters related thereto has been prepared by our bond attorney.

BUDGET ANALYSIS

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
See Note					N/A

Note: The funding source for the C.O. will be ad valorem taxation and a limited (in an amount not to exceed \$10,000) subordinate pledge of certain revenues of the waterworks and sewer system of the City.

Purchasing Review: N/A

Financial/Budget Review: Edena J. Atmore, Director of Financial Services

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

SUPPORTING MATERIALS

1. Resolution

STAFF'S RECOMMENDATION

Approve the resolution authorizing publication of notice of intention to issue Certificated of Obligation in a principal amount not to exceed \$21,000,000.

Director Approval: **Edena J. Atmore, Director of Financial Services**

**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, AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION TO ISSUE CITY OF MISSOURI CITY, TEXAS CERTIFICATES OF OBLIGATION IN A PRINCIPAL AMOUNT NOT TO EXCEED \$21,000,000 FOR THE CONSTRUCTION OF PUBLIC WORKS AND ANY ITEMS RELATED THERETO AND FOR THE PAYMENT OF CONTRACTUAL OBLIGATIONS FOR PROFESSIONAL SERVICES; AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT RELATING TO SUCH CERTIFICATES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, the City Council (the "City Council") of the City of Missouri City, Texas (the "City"), is authorized to issue certificates of obligation to pay contractual obligations to be incurred for the construction of public works, any items related thereto, and for the payment of contractual obligations for professional services pursuant to Subchapter C of Chapter 271, Texas Local Government Code, as amended; and

WHEREAS, the City Council has determined that it is in the best interest of the City and otherwise desirable to issue certificates of obligation in a principal amount not to exceed \$21,000,000 (the "Certificates of Obligation") for the construction of public works, more specifically, the expansion of a surface water treatment plant, and any items related thereto, and for the payment of contractual obligations for professional services rendered in connection with the construction of such public works; and

WHEREAS, prior to the issuance of the Certificates of Obligation, the City is required to publish notice of its intention to issue the Certificates of Obligation (the "Notice") in a newspaper of general circulation in the City stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates of Obligation, (ii) the maximum amount of Certificates of Obligation proposed to be issued, (iii) the purpose for which the Certificates of Obligation are to be issued, and (iv) the manner in which the Council proposes to pay for the Certificates of Obligation; and

WHEREAS, for purposes of providing for the sale of the Certificates of Obligation, the City Council intends to authorize the preparation of a Preliminary Official Statement (the "Preliminary Official Statement") to be used in the public offering of the Certificates of Obligation; and

WHEREAS, the City Council has been presented with and has examined the proposed form of the Notice and finds that the form and substance thereof are satisfactory, and that the recitals and findings contained therein are true, correct and complete; now therefore,

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

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. Attached hereto and marked “**Exhibit A**” is a copy of the Notice, the form and substance of which are hereby adopted and approved.

Section 3. The Mayor or the City Secretary shall cause the Notice to be published, in substantially the form attached hereto, in a newspaper, as described in Section 2051.044, Texas Government Code, of general circulation in the City for two consecutive weeks with the date of first publication to be before the 30th day before the date tentatively set for the passage of the ordinance authorizing the issuance of the Certificates of Obligation.

Section 4. The City Council hereby approves the preparation and distribution by the City's financial advisor to prospective purchasers of the Certificates of the Preliminary Official Statement, as the same may be completed, modified, or supplemented with the approval of the Mayor or other authorized officers and agents of the City.

Section 5. The Mayor, City Secretary and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this Resolution.

PASSED, APPROVED and ADOPTED this 20th day of August, 2018.

Allen Owen
Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson
City Secretary

E. Joyce Iyamu
City Attorney

EXHIBIT A
NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Missouri City, Texas (the "City") will meet at its regular meeting place in the City Council Chamber at City Hall, 1522 Texas Parkway, Missouri City, Texas at 7:00 p.m. on the 15th day of October, 2018, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City's certificates of obligation, payable from ad valorem taxation and a limited (in an amount not to exceed \$10,000) subordinate pledge of certain revenues of the waterworks and sewer system of the City, in the maximum aggregate principal amount of \$21,000,000, bearing interest at any rate or rates, not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council at the time of issuance and maturing over a period of years not to exceed forty (40) years from the date thereof, for the purpose of evidencing the indebtedness of the City to pay all or any part of the contractual obligations to be incurred for the purpose of (1) the construction of public works, more specifically, the expansion of a surface water treatment plant, and any items related thereto, and (2) professional services rendered in connection with item (1).

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this _____ day of August, 2018.

Maria Jackson, City Secretary
City of Missouri City, Texas



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

August 20, 2018

To: Mayor & Council
Agenda Item: 11(e) Simulated Impaired Driving Experience (SIDNE)
Submitted by: Rachel Murray, Recognition & Compliance Program Coordinator

SYNOPSIS

The department wishes to seek funding, via the Firehouse Subs Public Safety Foundation Grant, for a Simulated Impaired Driving Experience (SIDNE).

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

There is no match associated with this grant. The Simulated Impaired Driving Experience (SIDNE) is an engaging and hands-on campaign for the community addressing the misuse and abuse of alcohol and other drugs and the dangers of distracted driving. This program will be the first in our area and will allow officers to take the information into the high schools as well as incorporate it into city events.

BUDGET/FISCAL ANALYSIS

There are no matching funds required.

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
Firehouse Subs Foundation Grant	230-46124-13-001-	Revenue (Reimbursement)	\$0	\$0	\$28,792.50*
Firehouse Subs Foundation Grant	230-58650-13-999-	Expense	\$0	\$0	\$28,792.50*

***Subject to approval from Council and approval of the grant**

Purchasing Review: N/A
Financial/Budget Review: Bertha P. Alexander – Budget & Financial Reporting Manager

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

SUPPORTING MATERIALS

1. Resolution

STAFF'S RECOMMENDATION

Staff recommends approval.

Director Approval: Mike Berezin, Police Chief

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

RESOLUTION NO. R-18-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION FOR THE PURCHASE OF A SIMULATED IMPAIRED DRIVING EXPERIENCE PACKAGE; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

* * * * *

WHEREAS, the Firehouse Subs Public Safety Foundation was founded in 2005 in order to impact the lives and lifesaving capabilities of local first responders and their communities; and

WHEREAS, one of the funding initiatives undertaken by the Firehouse Subs Public Safety Foundation is providing prevention education tools to the public about the importance of public safety in order to prevent disasters in the home and community; and

WHEREAS, the Simulated Impaired Driving Experience (“SIDNE”) Ultimate Package is an all-inclusive collection of prevention tools, resources, and training that provides an engaging and hands-on campaign that addresses the abuse of alcohol and other drugs and the dangers of distracted driving; and

WHEREAS, the City Council of the City of Missouri City finds it in the best interest of the residents of the City of Missouri City (the “City”) to provide prevention education through the use of a SIDNE Ultimate Package; and

WHEREAS, the City Council of the City of Missouri City desires to approve an application to be submitted to the Firehouse Subs Public Safety Foundation for the purchase of a SIDNE Ultimate Package; and

WHEREAS, the City Council of the City of Missouri City desires to designate the Mayor as the City’s authorized official for purposes of submitting such application and to designate the Police Recognition and Compliance Program Coordinator as the City’s authorized project manager; now therefore,

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

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

Section 2. The City Council of the City of Missouri City approves the submission of the Firehouse Subs Public Safety Foundation Grant application to the Firehouse Subs Public Safety Foundation for the purchase of a SIDNE Ultimate Package.

Section 3. The City Council of the City of Missouri City hereby designates the Mayor as the City's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City.

Section 4. The City Council of the City of Missouri City hereby designates the Police Recognition and Compliance Program Coordinator as the City's authorized project manager in relation to the grant.

PASSED, APPROVED and ADOPTED this 20th day of August, 2018.

Allen Owen
Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson
City Secretary

E. Joyce Iyamu
City Attorney



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

August 20, 2018

To: Mayor and City Council
Agenda Item: 11(f) Mobile Video Surveillance Trailer
Submitted by: Rachel Murray, Recognition & Compliance Program Coordinator

SYNOPSIS

The department wishes to seek funding, via HGAC, for a Mobile Video Surveillance Trailer for the Budget year 2019. A resolution is required as proof of Council’s consent to apply for and subsequently accept the grant funding, if awarded. This is the second time applying for this grant.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

There is no match associated with this grant. The mobile video surveillance trailers provide a high level platform (up to 30 feet from the ground) for surveillance operations. These trailers would allow us to raise the platform and conduct surveillance operations at any of the business centers in the city. The trailer is rugged enough and can easily be relocated to any of the cities numerous parks to be used during special events. The trailer also acts as a strong deterrent against crime whether or not it is actually being operated or manned. The Missouri City Police Department purchased a mobile surveillance trailer in budget year 2018 via this same grant. The trailer is currently located at Buffalo Run Park. Since it has been in the park, burglary of motor vehicles have gone down by 800% in that location. If awarded, this new mobile surveillance trailer will be used in various locations throughout the city.

BUDGET ANALYSIS

There are no matching required.

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
Budget/HGAC Equipment Grant	230-46124-13-001-	Revenue (Reimbursement)	\$0	\$0	\$60,000*
Budget/HGAC Equipment Grant	230-58650-13-999-	Expense	\$0	\$0	\$60,000*

***Subject to approval from Council and approval of the grant**

Purchasing Review: N/A
Financial/Budget Review: Bertha P. Alexander - Budget & Financial Reporting Manager

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

SUPPORTING MATERIALS

1. Resolution

STAFF'S RECOMMENDATION

Staff recommends approval.

Director Approval:

Mike Berezin, Police Chief

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

Bill Atkinson, Assistant City Manager

RESOLUTION NO. R-18-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, APPROVING THE SUBMISSION OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE FORMULA GRANT APPLICATION TO THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR THROUGH THE HOUSTON-GALVESTON AREA COUNCIL TO FUND THE PURCHASE OF ONE MOBILE VIDEO SURVEILLANCE TRAILER; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

* * * * *

WHEREAS, the Edward Byrne Memorial Justice Assistance Formula Grant (JAG) Program provides funding to law enforcement agencies to improve the functioning of the criminal justice system; and

WHEREAS, the JAG grant will cover the purchase of training, equipment and supplies for criminal justice activities that will improve or enhance law enforcement programs; and

WHEREAS, the City Council of the City of Missouri City finds that the purchase of one mobile video surveillance trailer is in the best interest of the citizens of Missouri City; and

WHEREAS, the City Council of the City of Missouri City desires to apply to the Criminal Justice Division of the Office of the Governor (CJD) through the Houston-Galveston Area Council (HGAC) for a JAG grant to purchase one mobile video surveillance trailer; and

WHEREAS, the City agrees to participate in any audit, grant monitoring, or reporting required by the JAG program; and

WHEREAS, the City agrees to track and report JAG funding separately from other funding sources to ensure accurate financial and programmatic reporting on a timely basis; and

WHEREAS, the City desires to designate the Mayor as the City's authorized official to accept, reject, alter or terminate the grant on behalf of the City and the Administrative Captain as the City's project manager for making application for such grant; and

WHEREAS, the City Council agrees that, in the event of loss or misuse of the grant funds, the City Council of the City of Missouri City assures that the funds will be returned to the CJD as may be required by law; now therefore,

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

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

Section 2. The City Council of the City of Missouri City approves submission of the JAG application to the CJD through the HGAC to fund the purchase of one mobile video surveillance trailer.

Section 3. The City Council of the City of Missouri City hereby designates the Mayor as the City of Missouri City's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Missouri City.

Section 4. The City Council of the City of Missouri City hereby designates the Police Administrative Captain as the City of Missouri City's authorized project manager in relation to the grant.

PASSED, APPROVED and ADOPTED this 20th day of August, 2018.

Allen Owen
Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson
City Secretary

E. Joyce Iyamu
City Attorney



**Council Agenda Item
August 20, 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
