

ALLEN OWEN
Mayor

JERRY WYATT
Councilmember at Large Position 1

CHRIS PRESTON
Councilmember at Large Position 2



YOLANDA FORD
Mayor Pro Tem
Councilmember District A

JEFFREY L. BONEY
Councilmember District B

ANTHONY G. MAROULIS
Councilmember District C

FLOYD EMERY
Councilmember District D

CITY COUNCIL SPECIAL MEETING AGENDA

Notice is hereby given of a Special City Council Meeting to be held on **Monday, August 20, 2018, at 5:30 p.m.** at: **City Hall, Council Conference Room, 2nd Floor, behind the Council Chamber**, 1522 Texas Parkway, Missouri City, Texas, 77489, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

1. CALL TO ORDER

2. DISCUSSION/POSSIBLE ACTION

- (a) Discuss the Houston Community College System's 2019 comprehensive strategic plan.
- (b) Discuss the development of a state legislative agenda for the 2019 regular session of the Texas Legislature.
- (c) Presentation on the Code Enforcement sweep for the 5th Street area.
- (d) Presentation of the proposed Fiscal Year 2019 budget.

3. CLOSED EXECUTIVE SESSION

The City Council may go into Executive Session regarding any item posted on the Agenda as authorized by Chapter 551 of the Texas Government Code. Notice is hereby given that the City Council may go into Executive Session in accordance with the following provision of the Government Code:

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: proposed massage establishment ordinance.

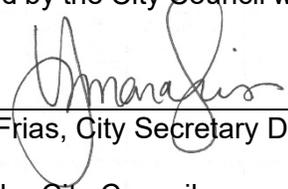
4. RECONVENE into Special Session and Consider Action, if any, on items discussed in Executive Session.

5. ADJOURN

In compliance with the Americans with Disabilities Act, the City of Missouri City will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Maria Jackson, City Secretary, at 281.403.8686.

CERTIFICATION

I certify that a copy of the 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: _____



CITY COUNCIL AGENDA ITEM COVER MEMO

August 20, 2018

To: Mayor and City Council
Agenda Item: 2(b) 2019 State Legislative Agenda Draft
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

This item is presented to the City Council for consideration as a proposed 2019 Texas Legislative Agenda (to be formally adopted at a later meeting).

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a Great Place to Live
- Maintain A Financially Sound City Government
- Grow Business Investments In Missouri City
- Have Quality Development Through Buildout

BACKGROUND

Key dates for the 2019 regular session of the Texas Legislature (the “86th Session”) are as follows:

- Early filing for legislation: November 12, 2018;
- The 86th Session begins: January 8, 2019;
- 60-day bill filing deadline: March 8, 2019;
- Adjournment: May 27, 2019; and
- Deadline for the governor to sign or veto bills: June 16, 2019.

Staff has been monitoring proposed legislative issues over the course of the interim. Scott Houston, Deputy Executive Director and General Counsel of the Texas Municipal League presented a preview for the 2019 regular session to City Council and City staff on May 23, 2018. The most significant issues that have been identified relate to limiting the City’s ability to raise revenue for City services (commonly known as the “tax cap” proposals) and preempting local authority on a range of issues, including, land use planning, payday lending, and lobbying.

Staff seeks Council direction on the 86th Session Legislative Agenda.

BUDGET/FISCAL ANALYSIS

| Funding Source | Account Number | Project Code/Name | FY18 Funds Budgeted | FY18 Funds Available | Amount Requested |
|----------------|----------------|-------------------|---------------------|----------------------|------------------|
| N/A | | | | | \$0 |

Purchasing Review: N/A

Financial/Budget Review: N/A

SUPPORTING MATERIALS

1. Draft 2019 state legislative agenda document
2. Resolution No. R-17-02, adopting the City's 2017 Texas Legislative Agenda

STAFF'S RECOMMENDATION

Consider legislative priorities.

CITY OF MISSOURI CITY, TEXAS

86th TEXAS LEGISLATURE

2019 LEGISLATIVE AGENDA



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DRAFT

Council District Map and Council Photo



First row: Floyd Emery, District D; Allen Owen, Mayor; and Yolanda Ford, District A
Second row: Chris Preston, Councilmember-at-large, Position No. 2, Jerry Wyatt, Councilmember-at-large, Position No. 1; Jeffrey Boney, District B; and Anthony Maroulis, District C

Legislative Priorities*

The City of Missouri City's 86th Texas Legislative Agenda encapsulates the City's highest priorities for the upcoming legislative session. The agenda serves, not only as an explicit authorization, but as a roadmap for the City's staff and representatives to act on behalf of the City during the 86th session of the Texas Legislature. The City of Missouri City also strives to work with other entities, including, but not limited to, other cities and the Texas Municipal League, in a spirit of collaboration and teamwork when the positions of such entities are consistent with the City of Missouri City's priorities. The City of Missouri City's legislative priorities are as follows:

- ❖ Preserve local control and home-rule city authority.
- ❖ Maintain local funding mechanisms.
- ❖ Reject unfunded state mandates.

In consideration of those priorities, Missouri City supports and opposes, as applicable, the following:

Support

- ❖ Support legislation that would preserve local control.
- ❖ Support legislation that enhances the City of Missouri City's ability to solve problems and improve the quality of life for its residents.
- ❖ Support legislation that would allow local governments to meet statutory notice requirements by providing public notices on the websites of such local governments.
- ❖ Support legislation that allows the City of Missouri City to set its budget and levy its taxes in accordance with the needs of Missouri City's residents.
- ❖ Support additional funding options for city and regional transportation programs.
- ❖ Support state-funded and local-option funding choices for economic development and transportation purposes.
- ❖ Support legislation that would protect the City of Missouri City's previous and future investments in the Texas Municipal Retirement System (TMRS).
- ❖ Support legislation advocated by entities to which the City of Missouri City belongs that is consistent with the priorities set forth by the City. Such legislation may include, but is not limited to:
 - a. Legislation relating to regulating pay day lending establishments;
 - b. Increasing the efficiency of intergovernmental relationships between local governments and state agencies; and
 - c. Preserving and protecting municipalities' zoning, extraterritorial, and annexation authority.
- ❖ Support legislation that promotes the general interests of the City's residents, including, but not limited to, initiatives that:
 - a. Address the public school finance system;
 - b. Allow home-rule cities to provide adequate, as determined by the duly elected local governing body, fire, police, code enforcement, and park services;

- c. Foster economic development; and
- d. Increase efficiency in the provision of open meetings and records.

Oppose

- ❖ Oppose unfunded state mandates.
- ❖ Oppose legislation that erodes the City of Missouri City's ability to govern its affairs.
- ❖ Oppose legislation that changes the current property or sales tax systems, as well as, other income producing structures in a manner that would cause the City of Missouri City to lose revenue or the ability to raise revenue.
- ❖ Oppose legislation that would further lower the appraisal cap.
- ❖ Oppose legislation that would preempt municipal franchise fee authority.
- ❖ Oppose legislation that erodes the authority of home-rule cities.
- ❖ Oppose preemptive legislation that either limits the scope of existing authority or that would weaken the City of Missouri City's ability to sustain the land use character of the City of Missouri City. Such legislation may include legislation relating to the following:
 - a. Contract licensing/registration;
 - b. Permitting;
 - c. Zoning; and
 - d. Short-term rentals.
- ❖ Oppose legislation that would restrict the use of economic development tools available to local governments such as tax abatement, tax increment reinvestment zones and Chapter 380 agreements.
- ❖ Oppose legislation that erodes municipal authority over municipal right-of-ways or prevents the City from being compensated for the use of its public property.
- ❖ Oppose legislation that erodes municipal sovereign immunity.

2019 Texas Legislative Agenda

The specific areas of interest for the City of Missouri City 2019 Texas Legislative Agenda are as follows:

1. **Property tax reform:** The City of Missouri City opposes legislation that would limit the City's ability to fund services for its residents and businesses, including, but not limited to, legislation that reduces the rollback rate from eight percent to a lower rate.
2. **Public safety:** The City of Missouri City supports legislation that would repeal § 1702.134 of the Texas Occupations Code, which allows a license holder or an employee of a license holder for alarm system sales to solicit in cities without obtaining a permit or license from such cities.
3. **Crime district:** The City of Missouri City supports legislation that would allow a city to impose a sales and use tax rate that exceeds the current maximum combined allowable sales and use tax rate prescribed by §321.101(f) of the Texas Tax Code to create a crime district for enhanced security.
4. **Sales tax elections for economic development and other purposes:** The City of Missouri City supports legislation that would allow municipalities to hold elections to increase the sales tax above the current limit for the purpose of economic development or for other governmental purposes.
5. **Special district annexation:** The City of Missouri City supports legislation that allows a municipality to annex land within a special district without dissolving the district and without taking on the debt obligations of the district. Additionally, the City of Missouri City supports legislation that would prevent all special districts from annexing land within a city's extraterritorial jurisdiction without the consent of the city.
6. **Abatement of weeds:** The City of Missouri City supports legislation that would amend §342.008 of the Texas Health and Safety Code to allow a city to abate weeds that are either 48 inches or higher or weeds that are an immediate danger to the health, life, or safety of individuals.
7. **Vesting of certain permits:** The City of Missouri City supports legislation that would clarify that Chapter 245 of the Texas Local Government Code does not apply to a permit issued for the construction of a structure intended for human habitation that is issued under regulations adopting uniform building, fire, electrical, plumbing or mechanical codes adopted by national code organizations.

8. **Redevelopment incentive program:** The City of Missouri City supports legislation that would provide an incentive for investing in redevelopment projects. Such legislation may offer a state franchise tax credit for investments in qualifying projects in certain redevelopment areas. Such program could serve as a pilot project patterned after the federal new market tax credit program. Several states, including Alabama, Kentucky, Florida, and Missouri have similar programs.

* Missouri City's legislative agenda may be adjusted from time to time during the legislative session.

DRAFT

RESOLUTION NO. R-17-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, ADOPTING THE 2017 LEGISLATIVE AGENDA FOR THE CITY OF MISSOURI CITY, TEXAS; PROVIDING FOR REPEAL; AND PROVIDING FOR SEVERABILITY.

* * * * *

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

Section 1. The City Council of the City of Missouri City, Texas, hereby adopts the City of Missouri City 2017 Legislative Agenda, as set forth in Exhibit "A," attached hereto and made a part hereof for all purposes.

Section 2. *Repeal.* All resolutions or parts of resolutions, if any, in conflict herewith, shall be and are expressly repealed to the extent of such conflict.

Section 3. *Severability.* In the event any clause, phrase, provision, sentence or part of this Resolution 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 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 such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED and ADOPTED on this 17th day January, 2017.



ATTEST:

Maria Jackson
Maria Jackson, City Secretary

Allen Owen
Allen Owen, Mayor

APPROVED AS TO FORM:

E. Joyce Lyamu
E. Joyce Lyamu, City Attorney

CITY OF MISSOURI CITY, TEXAS

2017 LEGISLATIVE AGENDA



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City Council's Legislative Priorities

The City's legislative agenda is fluid in nature. As such, this document may be adjusted based on local issues or the climate in the Texas Legislature. The City Council's goal is to work with other entities, including, but not limited to, other cities and the Texas Municipal League, in a spirit of collaboration and teamwork. When the positions of such entities are consistent with the City's positions, Missouri City may support those entities.

General Principles

1. Missouri City opposes legislation that would diminish municipal revenue and the City's ability to provide City services and enhance City infrastructure, such as, streets, roads, bridges, and water and wastewater treatment systems.
2. Missouri City opposes legislation that would erode the authority of home-rule municipalities.
3. Missouri City supports legislation that enhances the City's ability to solve problems and improve the quality of life for its residents.
4. Missouri City supports legislation that promotes the interests of the City's residents, including, but not limited to, initiatives that:
 - a. sustain the City's authority to set its budget;
 - b. sustain the City's authority to levy taxes in accordance with the needs of its residents;
 - c. preserve the City's authority to enact appropriate zoning regulations;
 - d. allow the City to provide adequate fire, police, code enforcement, and park services;
 - e. foster economic development; and
 - f. increase efficiency in the provision of open meetings and records.
5. Missouri City opposes legislation that increases the City's costs.
6. Missouri City supports legislation that provides funding for basic services and community amenities, such as, public safety, infrastructure, and parks.



Overview of Issues

The City of Missouri City has identified the following primary issues that may have the most significant impact on the quality of life of its residents, as well as, the City's position to support or oppose certain legislation.

Primary Issues

- ❖ Preservation of local control.
- ❖ Maintenance of local funding mechanisms and control.
- ❖ Preservation of the authority for home-rule municipalities.
- ❖ Rejection of unfunded state mandates.

Support

- ❖ Support legislation that would preserve local control.
- ❖ Support the ability of cities to hold a single election to eliminate one sales and use tax and adopt another.
- ❖ Support legislation that would allow local governments to meet statutory notice requirements by providing public notices on the websites of such local governments.
- ❖ Support legislation that promotes the interests of the City's residents, including but not limited to, initiatives that sustain the City's authority to set its budget and levy taxes in accordance with the needs of the City's residents.
- ❖ Support additional funding options for city and regional transportation programs.
- ❖ Support state-funded and local-option funding choices for economic development and transportation purposes.
- ❖ Support legislation that would protect the City's previous and future investments in the Texas Municipal Retirement System (TMRS).
- ❖ Support legislation that would expand the use of public, educational and government (PEG) fees to include operational and related costs associated with PEG channels.
- ❖ Support legislation advocated by entities to which the City of Missouri City belongs that is consistent with the positions set forth by the City. Such legislation may include, but is not limited to:
 - a. Legislation relating to regulating pay day lending establishments;
 - b. Increasing the efficiency of intergovernmental relationships between local governments and state agencies; and
 - c. Preserving and protecting municipalities' annexation authority and extraterritorial authority.

Exhibit "A"

Oppose

- ❖ Oppose legislation that erodes the City's ability to govern its affairs.
- ❖ Oppose legislation that imposes unfunded requirements on the City.
- ❖ Oppose legislation that changes the current property and sales tax systems, as well as, other income producing structures and that would cause the City to lose revenue or the ability to raise revenue.
- ❖ Oppose legislation that would further lower the appraisal cap.
- ❖ Oppose legislation that erodes the authority of home-rule cities to annex.
- ❖ Oppose legislation that would restrict the zoning authority of cities.
- ❖ Oppose legislation that would limit Missouri City's ability to raise revenue for providing city services.
- ❖ Oppose legislation that would impose expanded collective bargaining rights.
- ❖ Oppose legislation that would expand the current "meet and confer" law.
- ❖ Oppose legislation that would restrict the use of economic development tools available to local governments such as tax abatement, tax increment reinvestment zones and Chapter 380 agreements.
- ❖ Oppose legislation that erodes municipal authority over municipal right-of-ways or prevents the City from being compensated for the use of public property.
- ❖ Oppose legislation that erodes municipal sovereign immunity.

2017 State Legislative Agenda

The specific areas of interest for the 2017 legislative agenda are as follows:

1. **Property tax revenue caps:** Legislation that would limit the City's ability to provide services to its residents and businesses, including, but not limited to, legislation that reduces the rollback rate from eight percent to a lower rate.
2. **Hotel occupancy tax revenue:** Legislation that would allow municipalities *primarily* located in counties with a population of one million or less to expend hotel occupancy tax funds on sporting events.
3. **Sales tax elections for economic development and other purposes:** Legislation that would allow municipalities to hold elections to increase the sales tax above the current limit for the purpose of economic development or for other governmental purposes.
4. **Special district annexation:** Legislation that allows a municipality to annex land within a special district without dissolving the district and without taking on the debt obligations of the district.
5. **Vesting of certain permits:** Legislation that would clarify that Chapter 245 of the Texas Local Government Code does not apply to a permit issued for the construction of a structure intended for human habitation that is issued under regulations adopting uniform building, fire, electrical, plumbing or mechanical codes adopted by national code organizations.
6. **Crime district:** Legislation that would allow the City to impose a sales and use tax rate that exceeds the current maximum allowable sales and use tax limitation to create a crime district for enhanced security.
7. **Redevelopment incentive program:** Legislation that would provide an incentive for investing in redevelopment projects. Such legislation would offer a state franchise tax credit for investing in qualifying projects in qualifying redevelopment areas. Such program could serve as a pilot project patterned after the federal new market tax credit program.
8. **Utility liability waiver:** Legislation that would limit the liability of a public utility, as the owner, easement holder, occupant, or lessee of land, that agrees to allow public access or use of its premises for mass transit.



CITY COUNCIL AGENDA ITEM COVER MEMO

August 20, 2018

To: Mayor and City Council
Agenda Item: 2(c) Presentation and discussion on 1092/5th Street Corridor Code Enforcement Effort
Submitted by: Bill Atkinson, Assistant City Manager

SYNOPSIS

The City Council identified 1092/5th Street Corridor clean-up and beautification as a high priority. This was brought forward by several Council members who spoke to the importance of beautifying and developing the 1092/5th Street Corridor. The Code Enforcement Team and Code Enforcement Task Force have undertaken measures to make improvements to the area along with landowners and tenants.

STRATEGIC PLAN 2019 GOALS ADDRESSED

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

BACKGROUND

As part of the FY 2018 Budget, the City Council identified several near term City Council priorities for staff to pursue. The City Council identified 1092/5th Street Corridor clean-up and beautification as a high priority. This was brought forward by several Council members who spoke to the importance of beautifying and developing the 1092/5th Street Corridor. Emphasis was placed on the importance of Code Enforcement, education and communication with landowners, businesses and landlords, and partnership with other local municipalities.

The first step in this effort has been carried out by conducting code enforcement sweeps on Rothwell and Barker. Code Enforcement Officer Doug Gilmore has headed up this effort in the field and has been working very closely with landowners and tenants to ensure compliance with Chapter 30 Environment and the 2015 International Property Maintenance Code. The landowners have been working in cooperation with the Code Enforcement Team and Code Enforcement Task Force to seek compliance. The Code Enforcement Team is a multi-disciplinary team, who addressed not only code enforcement violations but also making sure the owner was aware of existing non-conforming uses and the associated concerns.

As a result of this approach, the city has seen great improvement of the conditions of this area. The owner and tenants understand the need to make the improvements seen and maintenance of the property moving forward.

Timeline of Events

- ❖ June 2018, CE Officer Michael Calhoun conducted a sweep of Rothwell Street and part of 5th Street for code violations. It took staff four weeks to conduct the inspections, document observed violations, conduct property research and issue violation notifications to tenants and property owners.
- ❖ July 2018, CE Officer Douglas Gilmore initiated the sweep of Barker Street for code violations. Thus far, staff has conducted a preliminary sweep of the area and has issued violation notices to tenants and property owners which has great results.
- ❖ Staff is monitoring the progress in area and will continue to work with residents in achieving our common goal of compliance.

The team has a short presentation to provide as an overview of progress made to date and the steps still to be taken going forward.

SUPPORTING MATERIALS

1. Before and After Results PowerPoint Presentation

STAFF'S RECOMMENDATION

Item is being presented as an update to this effort.

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

Bill Atkinson

5th Street Area Code Enforcement Sweep

Presenters:

Cynthia Smith-Rex, Code Enforcement Supervisor

Date of Presentation:

August 20, 2018 at 5:30 p.m.



The Initiative

- ❖ June 2018, CE Officer Michael Calhoun conducted a sweep of Rothwell Street and part of 5th Street for code violations. It took staff four weeks to conduct the inspections, document observed violations, conduct property research and issue violation notifications to tenants and property owners.
- ❖ July 2018, CE Officer Douglas Gilmore initiated the sweep of Barker Street for code violations. Thus far, staff has conducted a preliminary sweep of the area and has issued violation notices to tenants and property owners which has great results.
- ❖ Staff is monitoring the progress in area and will continue to work with residents in achieving our common goal of compliance.
 - ❖ The following slides illustrate the progress made on 5th, Rothwell and Barker Streets.



3600 Block of 5th Street - R36797
Legal Description: 0064 WM Neal, Acres 1.3743
(Before)



3600 Block of 5th Street - R36797
Legal Description: 0064 WM Neal, Acres 1.3743
(After)



3619 5th Street

(Before)



3619 5th Street

(After)



1900 Block of Rothwell – R36785
Legal Description: 0064 WM Neal, Acres 0.84
(Before)



1900 Block of Rothwell – R36785
Legal Description: 0064 WM Neal, Acres 0.84
(After)



1900 Block of Rothwell – R36786
Legal Description: 0064 WM Neal, Acres .18
(Before)



1900 Block of Rothwell – R36786
Legal Description: 0064 WM Neal, Acres .18
(After)



1915 Rothwell (Before)



1915 Rothwell (After)



1933 Rothwell

Before



After



1027 Barker Street (Before)



SR1

1027 Barker Street (After)



1029 Barker Street

Before



After



1030 Barker Street (Before)



1030 Barker Street (After)



CR1

1032 Barker Street, Trailer A (Before)



CR1

1032 Barker Street, Trailer A (After)



1032 Barker Street, Trailer F
(Before)



1032 Barker Street, Trailer F
(After)

