



# CITY COUNCIL MEETING

Monday, February 23, 2026  
7:00 PM

Iowa Colony City Council Chambers, 3144 Meridiana Parkway, Iowa Colony, Texas 77583

Phone: 281-369-2471 • Fax: 281-369-0005 • [www.iowacolonytx.gov](http://www.iowacolonytx.gov)

THIS NOTICE IS POSTED PURSUANT TO THE TEXAS OPEN MEETING ACT (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE). THE CITY COUNCIL OF IOWA COLONY WILL HOLD A COUNCIL MEETING AT 7:00 PM ON MONDAY, FEBRUARY 23, 2026 AT IOWA COLONY CITY HALL, 3144 MERIDIANA PARKWAY, IOWA COLONY, TEXAS 77583 FOR THE PURPOSE OF DISCUSSING AND IF APPROPRIATE, TAKE ACTION WITH RESPECT TO THE FOLLOWING ITEMS.

*Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-369-2471.*

### Taxpayer Impact Statement

This statement presents the estimated annual property tax bill for a median-valued homestead in Iowa Colony (\$416,981) and compares it under the current revenue rate and the proposed tax rate options.

Tax Rate Scenario	Tax Rate per \$100 Valuation	Estimated Annual Tax Bill	Difference from Current Year
Current FY 2024-25	\$0.519209	\$2,165.00	-
No-New Revenue Rate	\$0.481864	\$2,009.28	-155.72
Proposed Rate FY 2025-26	\$0.519209	\$2,165.00	No change



### Adopted Budget

A physical copy is available at City Hall and online at <https://www.iowacolonytx.gov/>

## CALL TO ORDER

## INVOCATION

## PLEDGE OF ALLEGIANCE

## SPECIAL PRESENTATIONS & ANNOUNCEMENTS

*Reserved for formal presentations and proclamations.*

1. Proclamation- Black History Month
2. Proclamation- Women's History Month

## CITIZEN COMMENTS

*An opportunity for the public to address City Council on agenda items or concerns not on the agenda. To comply with Texas Open Meetings Act, this period is not for question and answer. Those wishing to speak must identify themselves and observe a three-minute time limit.*

## **PUBLIC HEARINGS**

3. Hold a public hearing to consider annexing the following property:

A tract of land containing approximately 0.341-acre tract in the H.T. & B.R.R. Co. Survey, Section 50, Abstract No. 512 in Brazoria County, Texas. Said 0.341-acre tract is in Lot 452 of the Emigration Land Company Subdivision as recorded in Volume 2, Page 113 in the Brazoria County Plat Records and in a 10.00-acre tract of land described in a deed to John Okewunmi and Kim Okewunmi as recorded in Clerk's File No. 2023003799 in the Brazoria County Clerk's Office. Said 0.341-acre tract is the South Half of 60-Foot R.O.W. (Duke Road A.K.A. C.R. 758).

A tract of land containing approximately 0.342-acre tract in the H.T. & B.R.R. Co. Survey, Section 50, Abstract No. 512 in Brazoria County, Texas. Said 0.342-acre tract is in Lot 461 of the Emigration Land Company Subdivision as recorded in Volume 2, Page 113 in the Brazoria County Plat Records and in a 8.737-acre tract of land described in a deed to Jean Meyerson as recorded in Clerk's File No. 93-042361 in the Brazoria County Clerk's Office. Said 0.342-acre tract is the North Half of 60-Foot R.O.W. (Duke Road A.K.A. C.R. 758).

4. Hold a public hearing on a proposed variance to fencing regulations in the City's Unified Development Code and Zoning Ordinance.

## **COUNCIL COMMENTS**

### **STAFF REPORTS**

5. Building Official/Fire Marshal Monthly Report
6. Public Works Monthly Report
7. Municipal Court Monthly Report
8. Police Department Monthly Report
9. City Engineer's Monthly Report
10. Finance Monthly Reports
11. Water/Wastewater Utility Monthly Report

### **ITEMS FOR CONSIDERATION**

12. Consideration and possible action on an Ordinance for a variance to the fencing requirements in the City's Unified Development Code and Zoning Ordinance at 4200 County Road 78.
13. Consideration and possible action to approve a Resolution regarding a Petition for Release of approximately 2.2 acres located in the City's Extraterritorial Jurisdiction (ETJ).
14. Consideration and possible action to approve a Resolution regarding a Petition for Release of approximately 109.9 acres located in the City's Extraterritorial Jurisdiction (ETJ).
15. Consideration and possible action to approve a Resolution regarding a Petition for Release of approximately 167.204 acres located in the City's Extraterritorial Jurisdiction (ETJ).
16. Consideration and possible action to provide a recommendation to City Council for the Sierra Vista West Plan of Development Amendment No. 3.
17. Consideration and possible action on an Ordinance establishing a solid waste service rate.

**CONSENT ORDINANCES – SECOND READING**

*Consideration and possible action to approve the following ordinances on second and final reading.*

- 18. Consideration and possible action for an amendment to the sign ordinance to expand the requirements for subdivision monument signage.
- 19. Consideration and possible action to amend the Unified Development Code Section 3.5.3.1 – Setback, Driveways, Sidewalks, and Parking for Commercial, Retail, Office, and Industrial Use Buildings.
- 20. Consideration and possible action on an amendment to the UDC Sec. 3.5.3.12.(b) for non-residential storefront transparency requirements based on building uses.

**CONSENT AGENDA**

*Consideration and possible action to approve the following consent agenda items:*

- 21. Consider approval of the January 26, 2026 City Council worksession minutes.
- 22. Consider approval of the January 26, 2026 City Council meeting minutes.
- 23. Consider approval of the Ellwood Section 3B Preliminary Plat.
- 24. Consider approval of the Meridiana Section 34D Preliminary Plat.
- 25. Consider approval of the Ellwood Detention Reserve "D" Preliminary Plat.
- 26. Consider approval of the Ellwood Detention Reserve "E" Phase 2 Preliminary Plat.
- 27. Consider approval of the Coogan Tract General Plan.
- 28. Consider approval of the Avery Crossing Section 1 Preliminary Plat.
- 29. Consider approval of Meridiana Section 35B Preliminary Plat extension of approval.
- 30. Consider approval of Detention and Grading Phase 3 to serve Caldwell Lakes and Brazoria County Municipal Utility District No. 87 into the One Year Maintenance Period.

**EXECUTIVE SESSION**

*Executive session in accordance with 551.071 and 551.074 of the Texas Gov't Code to deliberate and consult with attorney on the following:*

- 31. Discuss personnel matters and receive a report from outside legal counsel regarding the investigation and findings related to the complaint against Councilmember Position 1.

**POST EXECUTIVE SESSION**

**ITEMS FOR CONSIDERATION**

- 32. Consideration and possible action on Executive Session matters.

**ADJOURNMENT**

I, Kayleen Rosser, hereby certify that the above notice of meeting of the Iowa Colony City Council was posted pursuant to the Texas Open Meeting Act (Chapter 551 of the Texas Government Code) on February 17, 2026.



*Kayleen Rosser*  
\_\_\_\_\_  
Kayleen Rosser, City Secretary

I hereby certify that the foregoing agenda remained posted at the entrance to the Iowa Colony City Hall where it was visible to the public at all times and on the City's website for at least 72 hours preceding the scheduled time of the meeting therein described.

  
\_\_\_\_\_  
Kayleen Rosser, City Secretary

Date Signed: \_\_\_\_\_



**WHEREAS** Black Americans have shaped virtually every aspect of public life, and their contributions have helped build the nation we know and love; and

**WHEREAS** Black leaders have served the greater good at every level of government and in every branch from the halls of Congress to the seats of the Supreme Court and the presidency of the United States; and

**WHEREAS** Black History Month provides an opportunity to celebrate the achievements of Black Americans past and present; and

**WHEREAS** Black History Month affords special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have contributed to the progress of our nation; and

**WHEREAS** such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups, and the continuing struggle against racial discrimination; and

**NOW THEREFORE**, I, Wil Kennedy, Mayor of Iowa Colony, Texas, do hereby declare the month of February 2026 as “BLACK HISTORY MONTH” in Iowa Colony, Texas, and urge our citizens to learn more about Black history, to celebrate the many accomplishments of Black Americans, and to recommit to the values of tolerance and equality for all people.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Iowa Colony, Texas, to be affixed this 23rd day of February 2026.

---

Wil Kennedy, Mayor



**March as Women's History Month  
March 1 - 31, 2026**

**WHEREAS**, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways;

**WHEREAS**, American women have played and continue to play critical economic, cultural, and social role in every sphere of life of the Nation by constituting a significant portion of the labor force working inside and outside of the home;

**WHEREAS**, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation;

**WHEREAS**, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation;

**WHEREAS**, American women of every race, class, ethnic background, served as early leaders in the storefront of every major progressive social change movement;

**WHEREAS**, American women have served our country courageously in the military;

**WHEREAS**, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

**WHEREAS**, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history;

**WHEREAS**, the Senate and House of Representatives of the United States of America in Congress assembled, that March is designated as "Women's History Month"

**WHEREAS**, the President issues a proclamation each March, calling upon the people of the United States to observe **March as Women's History Month** with appropriate programs, ceremonies, and activities.

**NOW THEREFORE BE IT RESOLVED** that I, Wil Kennedy, Mayor of the City of Iowa Colony, do hereby declare the month of March as Women's History Month in the City of Iowa Colony, and encourage all people everywhere to honor the significant contributions of women in our community, state, and nation.

**Witness whereof**, I have hereunto set my hand and have caused the Official Seal of the City of Iowa Colony to be affixed this 23rd Day of February, 2026.

\_\_\_\_\_  
Wil Kennedy, Mayor  
City of Iowa Colony, Texas

CITY OF IOWA COLONY  
NOTICE OF PUBLIC HEARING ON ANNEXATION

To be held on:

Public Hearing., **February 23, 2026, at 7:00 p.m.**  
**City Council Chambers**  
3144 Meridiana Pkwy., Iowa Colony, Texas, 77583

The Iowa Colony City Council will hold a public hearing at **7:00 p.m. on February 23, 2026**, in the Iowa Colony City Council Chambers, 3144 Meridiana Pkwy., Iowa Colony, Texas, 77583, to consider annexing the following property:

A tract of land containing approximately 0.341-acre tract in the H.T. & B.R.R. Co. Survey, Section 50, Abstract No. 512 in Brazoria County, Texas. Said 0.341-acre tract is in Lot 452 of the Emigration Land Company Subdivision as recorded in Volume 2, Page 113 in the Brazoria County Plat Records and in a 10.00-acre tract of land described in a deed to John Okewunmi and Kim Okewunmi as recorded in Clerk's File No. 2023003799 in the Brazoria County Clerk's Office. Said 0.341-acre tract is the South Half of 60-Foot R.O.W. (Duke Road A.K.A. C.R. 758).

A tract of land containing approximately 0.342-acre tract in the H.T. & B.R.R. Co. Survey, Section 50, Abstract No. 512 in Brazoria County, Texas. Said 0.342-acre tract is in Lot 461 of the Emigration Land Company Subdivision as recorded in Volume 2, Page 113 in the Brazoria County Plat Records and in a 8.737-acre tract of land described in a deed to Jean Meyerson as recorded in Clerk's File No. 93-042361 in the Brazoria County Clerk's Office. Said 0.342-acre tract is the North Half of 60-Foot R.O.W. (Duke Road A.K.A. C.R. 758).

All interested persons may be heard concerning this matter. A metes and bounds description and map of the area proposed for annexation are available at no charge from the Iowa Colony City Secretary at the address herein stated or at [krosser@iowacolonytx.gov](mailto:krosser@iowacolonytx.gov).

Kayleen Rosser  
Iowa Colony City Secretary

City of Iowa Colony  
0.341 Acre

H.T. & B.R.R. Co. Survey, Section 50  
Abstract No. 512

**ANNEXATION TRACT 1  
SOUTH HALF OF 60-FOOT WIDE R.O.W. (DUKE ROAD A.K.A. C.R. 758)**

STATE OF TEXAS           §

COUNTY OF BRAZORIA    §

METES AND BOUNDS DESCRIPTION of a 0.341-acre tract in the H.T. & B.R.R. Co. Survey, Section 50, Abstract No. 512 in Brazoria County, Texas. Said 0.341-acre tract is in Lot 452 of the Emigration Land Company Subdivision as recorded in Volume 2, Page 113 in the Brazoria County Plat Records and in a 10.00-acre tract of land described in a deed to John Okewunmi and Kim Okewunmi as recorded in Clerk's File No. 2023003799 in the Brazoria County Clerk's Office. Said 0.341-acre tract is more particularly described as follows:

COMMENCING at the point of intersection of the centerline of Airline Drive, a.k.a. County Road 48 (based on a width of 40 feet) with the centerline of Duke Road, a.k.a. County Road 758 (based on a width of 60 feet). Said point is the common corner of Lots 401, 402, 411 and 412 of said Emigration Land Company Subdivision and in the common line between said H.T. & B.R.R. Co. Survey, Section 50, Abstract No. 512 and the Charles M. Hayes Survey, Section 2, Abstract No. 531.

THENCE, East, along the centerline of said Duke Road, same being the extended common line between said Lots 411 and 412 for a distance of 1,980.00 feet to the POINT OF BEGINNING and northwest corner of the herein described tract. Said point is the common corner of Lots 441, 442, 451 and 452;

THENCE, East, along the common line between said Lots 451 and 452 for a distance of 494.70 feet to the common corner of Lots 451, 452, 461 and 462. Said point is the northeast corner of the herein described tract;

THENCE, South 00°13'19" East, along the common line between said Lots 452 and 462 for a distance of 30.00 feet to a point on the south right-of-way line of the aforementioned Duke Road;

THENCE, West, along the south line of said Duke Road for a distance of 494.82 feet to a point in the common line between said 452 and 442;

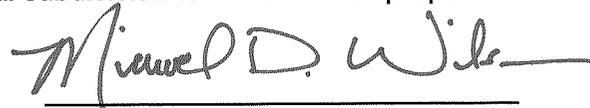
THENCE, North, along the common line between said Lots 442 and 452 for a distance of 30.00 feet to the POINT OF BEGINNING, containing a computed area of 0.341-acre (14,842 square feet).

NOTE:

1. The bearings shown hereon are based on Ordinance No. 73-C as recorded in Volume 1199, Page 804 in the Brazoria County Ceed Records.
2. A separate Exhibit Map has been prepared in connection with this metes and bounds description.

- 3. This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

The Wilson Survey Group, Inc.  
2006 East Broadway, Suite 103  
Pearland, Texas 77581  
281-485-3991  
T.B.P.E.L.S. Firm No. 10014900  
Job No. 25-126



Michael D. Wilson, R.P.L.S.  
Registration No 4821

11/10/25



City of Iowa Colony  
0.342 Acre

H.T. & B.R.R. Co. Survey, Section 50  
Abstract No. 512

**ANNEXATION TRACT 2  
NORTH HALF OF 60-FOOT WIDE R.O.W. (DUKE ROAD A.K.A. C.R. 758)**

STATE OF TEXAS           §

COUNTY OF BRAZORIA    §

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THENCE, East, along the centerline of said Duke Road, same being the extended common line between said Lots 411 and 412 for a distance of 2,475.33 feet to the POINT OF BEGINNING and southwest corner of the herein described tract. Said point is the common corner of Lots 451, 452, 461 and 462;

THENCE, North 00°02'11" East, along the common line between said Lots 451 and 461 for a distance of 30.00 feet to a point in the north right-of-way line of said Duke Road;

THENCE, East, along the north line of said Duke Road for a distance of 497.26 feet to a point in the common line between said Lots 461 and 468;

THENCE, South 00°06'04" East, along the common line between said Lots 461 and 468 for a distance of 30.00 feet to the common corner of said Lots 461, 462, 468 and 469;

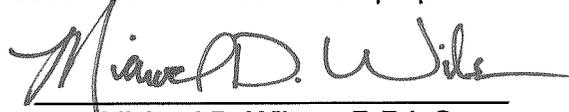
THENCE, West, along the common line between said Lots 461 and 462 for a distance of 497.33 feet to the POINT OF BEGINNING, containing a computed area of 0.342-acre (14,919 square feet).

NOTE:

1. The bearings shown hereon are based on Ordinance No. 73-C as recorded in Volume 1199, Page 804 in the Brazoria County Ceed Records.
2. A separate Exhibit Map has been prepared in connection with this metes and bounds description.
3. This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real

property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

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Michael D. Wilson, R.P.L.S.  
Registration No 4821

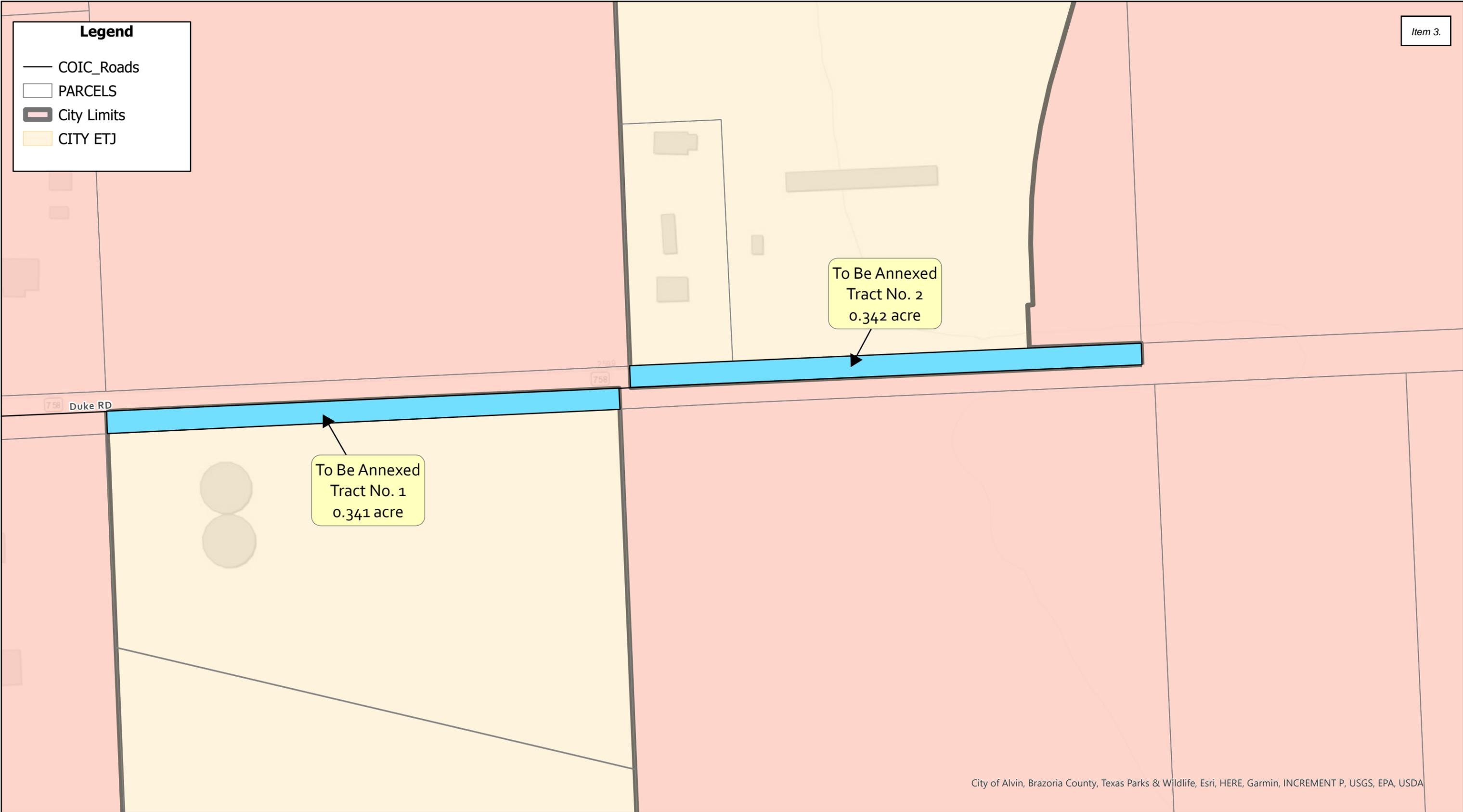
11/10/25



**Legend**

- COIC\_Roads
- PARCELS
- ▭ City Limits
- CITY ETJ

Item 3.

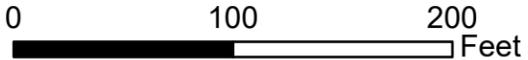


City of Alvin, Brazoria County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



# Iowa Colony Annexation

NOVEMBER 2025





# IOWA COLONY FIRE MARSHAL'S OFFICE

Item 5.

3144 Meridiana Parkway  
Iowa Colony, TX 77583

**Albert Cantu, CFM**

Office Phone: (346) 395-4551  
Email: [acantu@iowacolonytx.gov](mailto:acantu@iowacolonytx.gov)

Cell Phone: (346) 278-9218  
Website: [iowacolonytx.gov](http://iowacolonytx.gov)

February 17, 2026

Mayor and Council,

See January 2026, monthly report for Building Department, Code Enforcement/Animal Control, Community Development, and Fire Marshal Offices below.

### **Community Development**

Inspections conducted by Safe Built-

Building Inspections-	381
Electrical Inspections-	265
Plumbing Inspections-	467
Mechanical Inspections-	<u>113</u>
<b>Total-</b>	<b>1226</b>

**Total Paid to Safe Built for January 2026, for a total of 1226 Inspections- \$30,650.00**

**Total Paid to Safe Built for January 2025, for a total of 1883 Inspections- \$42,367.50**

### **January 2026 Plan Reviews- 71**

Building- 4	Commercial Buildout- 0	Electrical- 0	New Residential- 65	New Addition- 1	Swimming Pool- 1
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### **January 2025 Plan Reviews- 80**

Building- 5	Commercial Buildout- 1	Electrical- 12	New Addition- 1	New Residential- 57	Planning & Zoning- 1
Residential- Remodel- 1	Swimming Pool- 2				

### **Permits Issued**

#### **2025- 243**

Engineer Projects- 14	Other Permits- 181	New Home Permits- 48
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#### **2026- 126**

Engineer Projects- 16	Other Permits- 49	New Home Permits- 61
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### **Fees Collected**

#### **2025- \$469,365.24**

Engineer Projects- \$174,119.79	Other Permit Fees- \$67,269.21	New Home Permit Fees- \$227,976.24
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#### **2026- \$403,109.49**

Engineer Projects- \$35,890.58	Other Permit Fees- \$28,216.87	New Home Permit Fees- \$339,002.04
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**Animal Control- 31 Calls for service**

24- Animal at Large	3- Deceased Animals	4- Livestock
Taken to SPCA	Properly disposed of	Returned to owner

**Code Compliance- 99 Calls for service**

Tall Grass and Weeds- 1	Junked Vehicles- 3	Debris and Unsanitary Conditions- 3	No Address- 0	Rubbish/Trash- 2
Sign Removal- 84	Violation Notices- 4	Notice of Compliance Letters- 2		

**Fire Marshal**

1. Final Inspections done for Spice Wings and Certificate of Occupancy was issued.
2. I investigated a structure fire at 9334 Eckert, the fire was confined in the garage. Fire was found to be accidental. Damage was confined to the garage and 1 vehicle heavy damage to the back of the car.

Thanks,

*Albert Cantu*

Albert Cantu, CFM

Safety Meeting	Description	Complete
Public Work Building	Work Zone Safety Training	Complete
Public Work Building	Portable Ladder Safety training	Complete
DEBRIS REMOVAL	Description	Complete
Iowa Colony City	city survey	Complete
CR 78 & CR 79	remove dumped trash from side of road	Complete
Iowa Colony & Cactus Ln	remove dumped trash from side of road	Complete
Dubuque Bridge westside dead end	remove dumped dishwasher from road	Complete
Dubuque & Iowa Colony	remove dumped trash from side of road	Complete
CR 56 & Hwy 521	report dumped trash bags on side of road to Brazoria county	in progress
Pursley & Cedar Rapids	remove dumped trash bags from side of road	Complete
CR 53	remove dumped chairs from ditch line	Complete
Ames & CR 382	remove dumped tv box from ditch line	Complete
Meridiana pkwy. (overpass)	remove dumped box / trash from side of street	Complete
CR 78	remove dumped basketball goal from ditch line	Complete
Street SIGNAGE	Description	Complete
Iowa Colony City	street survey city	Complete
Meridiana & Observation Way	install pedestrian crossing sign	Complete
Ocean Jasper Dr & Evening Emerald Dr	reinstall pole w/ street names	Complete
Iowa Colony City	survey street signs	Complete
Sandy point Bridge (CR 53)	remove bridge weight limit sign (3)	Complete
Sandy point Bridge (CR 53)	install new bridge weight limit sign (3)	Complete
America Ruby Dr. (culdesac)	report streetlight #799091	Complete
Lavender Jade Dr (Canterra Creek)	survey streetlights ( new construction)	Complete
Crystal View & Meridiana	turn speed limit sign right direction	Complete
Iowa Colony blvd. & Davenport (north bound)	turn speed limit sign right direction	Complete
Iowa Colony blvd. & Davenport (south bound)	turn school speed flashing light right direction	Complete
MOWING/TREE TRIMMING	Description	Complete
Iowa Colony city	city survey	Complete
STREET REPAIRS	Description	Complete
Iowa Colony City	city survey	Complete
Cedar Rapids (57) & westside Hwy 288 to Cedar Rapids	survey street (observe driving conditions)	Complete
Meridiana Pkwy	survey street (damaged curves)	Complete
Karsten & Bullard	survey street (damaged curves)	Complete
Cartier St.	survey street (damaged curves)	Complete
Dubuque & Iowa Colony eastbound	fill street potholes (asphalt patch)	Complete
11221 Pursley	fill street potholes (asphalt patch)	Complete

4902 Dubuque	fill street potholes (asphalt patch)		Complete
Ames & Duke Rd. (deadend)	build road barricade to construction		Complete
Public Works Building	standby while 3rd party dumps pea gravel for ice on bridges		Complete
Cedar Rapids (cr 57) & Hwy 288 to Cedar Rapids & Ka	fill street potholes		Complete
Pursley & Brister	fill steet potholes (asphalt patch)		Complete
Pursley (south bound from bridge)	fill street potholes (asphalt patch)		Complete
<b>Ditch Drainage issue</b>	<b>Description</b>		<b>Complete</b>
9815 Clear Diamond Dr.	survey street drainage / not draining		Complete
Pursley & CR 380 (corner house)	survey culvert installation		Complete
<b>Parks</b>	<b>Description</b>		<b>Complete</b>
City Park	collect trash bags(3)		Complete
City Park	assist plumber with city park bathrooms		Complete
City Park	contact person for replacement of city park tables		in progress
City Park	collect trash bags(3)		Complete
City Park	remove volleyball net / pole		Complete
City Park	turn off water for sprinkler system / bathrooms		Complete
<b>Miscellaneous Works</b>	<b>Description</b>		<b>Complete</b>
City Hall Building	disassemble christmas tree / christmas ornaments		Complete
City Hall Building	remove boxes & other items from City Manager's office for disposal		Complete
City Hall Building	install new filters for water fountain (2)		Complete
City Hall Building	refabricate aluminum rods for permit office		Complete
Public Works Building	grade section alongside fence line		Complete
Public Works Building	empty trash barrels		Complete
Public Works Building	clean shop / organize		Complete
Public Works Building	collect signs for bridges from Brazoria county precinct 3		Complete
Public Works Building	collect signs for MLK Day from Inkspot Printing		Complete
Public Works Building	assist with MLK parade / program		Complete
Public Works Building	place MLK Day signs in designated places		Complete
Public Works Building	assemble MLK DAY parade float		Complete
Public Works Building	disassemble MLK DAY parade float		Complete
Public Works Building	assist city staff with setup for BCCA		Complete
Public Works Building	assist city staff with removal of chairs & tables from BCCA		Complete
Public Works Building	returned Manvel's tables to Manvel City Hall		Complete
City Hall Building	turn off water for sprinkler sysytem		complete
Public Works Building	winterize water well tank & pipes / turn off water for sprinkler system		Complete
City Hall Building	collect trash bags (2)		Complete
Public Works Building	returned Manvel's oraments & table arrangements to Manvel City Hall		Complete
Public Works Building	service tractor for batwing / slope mower		complete
Iowa Colony City	assist code enforcement / survey residents fence		Complete

City of Iowa Colony  
Municipal Court Council Report  
From 1/1/2026 to 1/31/2026

2/8/2026 3:

Item 7.

**Violations by Type**

Traffic	Penal	City Ordinance	Parking	Other	Total
300	2	0	0	2	304

**Financial**

State Fees	Court Costs	Fines	Tech Fund	Building Security	Total
\$16,799.64	\$23,960.22	\$8,764.69	\$98.75	\$120.99	\$49,744.29

**Warrants**

Issued	Served	Closed	Total
0	0	2	2

**FTAs/VPTAs**

FTAs	VPTAs	Total
0	0	0

**Dispositions**

Paid	Non-Cash Credit	Dismissed	Driver Safety	Deferred	Total
60	0	46	22	109	237

**Trials & Hearings**

Jury	Bench	Appeal	Total
0	0	0	0

**Omni/Scofflaw/Collection**

Omni	Scofflaw	Collections	Total
3	0	3	6



Greg Stevens  
Executive Director

Item 8.  
TEXAS COMMISSION ON  
LAW ENFORCEMENT

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January 14, 2026

Iowa Colony Police Dept.- 039219

Dear Chief Bell,

The Commission appreciates your professionalism and cooperation during the recent audit of TCOLE files in your care and custody. The proactive measures taken by you and your staff prior to our visit helped ensure the review process was smooth, quick and efficient.

We are pleased to report that **no deficiencies** were identified during the audit. Therefore, no further action is required on your part. If you have questions or recommendations about any part of the audit process, please let us know. We value your input and welcome any improvement ideas that you or your staff can send our way.

Thank you again for your cordial assistance and continued support of our mission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick W. Aitchison".

Sgt. Patrick W. Aitchison  
Field Services Section  
Compliance and Standards Division



# IOWA COLONY POLICE DEPARTMENT

3144 Meridiana Parkway  
Iowa Colony, Texas 77583

Aaron I. Bell  
Chief of Police

Phone: (281) 369-3444  
Fax: (281) 406-3722

To: Honorable Wil Kennedy, Mayor  
Members of Council  
Dr. Tarron Richardson, City Manager

February 05, 2025

From: Aaron I. Bell, Chief of Police

Ref: 2025 Racial Profiling Report

In accordance with Article 2.134 of the Texas Code of Criminal Procedure, relating to the compilation and analysis of information collected, I respectfully submit the 2025 Racial Profiling Report. Attached to this correspondence is the compilation of data collected by the Iowa Colony Police Department, along with the comprehensive analysis conducted by Del Carmen Consulting, LLC.

Pursuant to Article 2.133 of the Texas Code of Criminal Procedure, law enforcement agencies that routinely conduct traffic stops are required to collect and report data related to those stops. For purposes of this statute, a motor vehicle stop is defined as a self-initiated stop by a peace officer that is not associated with a call for service. Prior to the enactment of Senate Bill 1849, agencies were subject to varying reporting requirements based on available technology and operational capabilities. These included Tier 1 (Full Reporting) for agencies without in-car audio or video recording equipment, Tier 2 (Partial Exemption) for agencies equipped with such systems, and an Exemption Report for agencies that did not conduct traffic stops.

Effective January 1, 2018, the passage of the Sandra Bland Act substantially revised the statutory requirements governing the collection and reporting of racial profiling data. Under this legislation, all law enforcement agencies are required to submit full racial profiling reports, regardless of equipment status, and the data collection process was standardized accordingly.

In compliance with applicable statutory requirements, the attached report will be submitted to the Texas Commission on Law Enforcement (TCOLE) and will be made available for public access on the City's official website.

Should you have any questions or require additional information, please do not hesitate to contact me.

Aaron I. Bell  
Chief of Police

# IOWA COLONY POLICE DEPARTMENT 2025 RACIAL PROFILING REPORT



*"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."*

*-Quote by Geneva Reed (Mother of Sandra Bland)*

February 1, 2026

Iowa Colony City Council  
3144 Meridiana Parkway  
Iowa Colony, TX 77583

Dear Distinguished Members of the City Council,

The Texas Racial Profiling Law, originally enacted by the Texas Legislature in 2001, was designed to address concerns regarding racial profiling practices in law enforcement. Throughout the preceding calendar year, the Iowa Colony Police Department, in full compliance with statutory requirements, systematically collected and reported traffic and motor vehicle-related contact data for the express purpose of identifying, evaluating, and addressing any potential concerns regarding racial profiling practices within the department.



Since its initial enactment, the Texas Racial Profiling Law has undergone significant legislative modifications. During the 2009 legislative session, the law was amended to incorporate additional data collection and reporting requirements. Subsequently, in 2017, the Texas Legislature passed two landmark pieces of legislation: House Bill 3051, which standardized racial and ethnic classification categories, and the Sandra Bland Act (Senate Bill 1849), which substantially expanded data collection mandates and analytical requirements. The Sandra Bland Act represents the most comprehensive legislative framework in Texas history pertaining to law enforcement contact data requirements. I am pleased to confirm that the Iowa Colony Police Department has satisfied all statutory requirements, and the documentation contained herein demonstrates full compliance with these legislative mandates.

This annual report is organized into distinct sections, each addressing specific components of the compliance framework. Section One contains the table of contents, providing navigational guidance throughout the document. Section Two presents documentation demonstrating the Iowa Colony Police Department's compliance with the procedural requirements established under the Texas Racial Profiling Law, including evidence of mandatory training protocols for all sworn personnel on racial profiling prevention, as well as the institutionalization of formal compliment and complaint processes as required by statute.

Section Three contains comprehensive statistical data pertaining to motor vehicle-related contacts, as defined by applicable law, occurring between January 1, 2025, and December 31, 2025. This section includes the Tier 2 reporting form, which must be submitted to the Texas Commission on Law Enforcement (TCOLE) and the local governing authority by March 1 of each calendar year. All data presented in this report was compared against the Fair Roads Standard, a baseline measure derived from U.S. Census Bureau data. The analytical findings and corresponding recommendations are presented in detail within this section.

The final section of this report contains reference materials, including the original text of Senate Bill 1074 (the Texas Racial Profiling Law) and the Sandra Bland Act (current governing law). Additionally, this section includes a comprehensive listing of compliance requirements established by TCOLE. The findings documented in this report substantiate the Iowa Colony Police Department's ongoing commitment to full compliance with the Texas Racial Profiling Law and its commitment to constitutional policing practices.

Respectfully submitted,

Alex del Carmen, Ph.D.  
Criminologist

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## **Informing the Public on the Process of Filing a Compliment or Complaint with the Iowa Colony Police Department**

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Iowa Colony Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Iowa Colony Police Officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Iowa Colony Police Officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Iowa Colony Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Iowa Colony has been included in this report.

It is important to recognize that the Chief of the Iowa Colony Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Iowa Colony Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.



## Racial Profiling 3256

### Instructor's Note:

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

### Abstract

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

**Target Population:** Licensed law enforcement personnel in Texas

**Prerequisites:** Experience as a law enforcement officer

**Length of Course:** A suggested instructional time of 4 hours

**Material Requirements:** Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

**Instructor Qualifications:** Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

### Evaluation Process and Procedures

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

### Reference Materials

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at <http://www.tcleose.state.tx.us>.

## Racial Profiling 3256

### 1.0 RACIAL PROFILING AND THE LAW

**1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.**

**1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.**

#### Racial Profiling Requirements:

Racial profiling CCP 3.05

Racial profiling prohibited CCP 2.131

Law enforcement policy on racial profiling CCP 2.132

Reports required for traffic and pedestrian stops CCP 2.133

Liability CCP 2.136

Racial profiling education for police chiefs Education Code 96.641

Training program Occupations Code 1701.253

Training required for intermediate certificate Occupations Code 1701.402

Definition of "race or ethnicity" for form Transportation Code 543.202

#### A. Written departmental policies

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

#### B. Not prima facie evidence

#### C. Feasibility of use of video equipment

#### D. Data does not identify officer

#### E. Copy of complaint-related video evidence to officer in question

#### F. Vehicle stop report

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

#### G. Compilation and analysis of data

#### H. Exemption from reporting – audio/video equipment

#### I. Officer non-liability

#### J. Funding

#### K. Required training in racial profiling

1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) – see legislation 77R-SB1074

**1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.**

**A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)**

1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

**B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)**

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

**C. Other cases**

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)

**2.0 RACIAL PROFILING AND THE COMMUNITY**

**2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.**

**2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.**

A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.

B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole.

C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.

D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.

E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.

### 3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

**3.1 UNIT GOAL: The student will be able to identify the elements of both inappropriate and appropriate traffic stops.**

**3.1.1 LEARNING OBJECTIVE: The student will be able to identify elements of a racially motivated traffic stop.**

- A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements
- B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)
- C. A typical traffic stop resulting from racial profiling
1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
  2. The driver and passengers are questioned about things that do not relate to the traffic violation
  3. The driver and passengers are ordered out of the vehicle
  4. The officers visually check all observable parts of the vehicle
  5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
  6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)



**3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.**

- A. Drug courier profile (adapted from a profile developed by the DEA)
  1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
  2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
  3. Vehicle is rented
  4. Driver is a young male, 20-35
  5. No visible luggage, even though driver is traveling
  6. Driver was over-reckless or over-cautious in driving and responding to signals
  7. Use of air fresheners
  
- B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

**3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.**

- A. Thinking about the totality of circumstances in a vehicle stop
  
- B. Vehicle exterior
  1. Non-standard repainting (esp. on a new vehicle)
  2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
  3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
  4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)
  
- C. Pre-stop indicators
  1. Not consistent with traffic flow
  2. Driver is overly cautious, or driver/passengers repeatedly look at police car
  3. Driver begins using a car- or cell-phone when signaled to stop
  4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)
  
- D. Vehicle interior
  1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
  2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

**Resources**

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074



**Report on Compliments**

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/25-12/31/25 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.

A check above indicates that the Iowa Colony Police Department has not received any complaints, on any members of its police services, for having violated the Texas Racial Profiling Law during the time period of 1/1/25-12/31/25.

**Complaints Filed for Possible Violations of The Texas Racial Profiling Law**

Complaint Number	Alleged Violation	Disposition of the Case
1	Racial Profiling	Unsubstantiated
2	Racial Profiling	Unsubstantiated

**Additional Comments:**

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**TOTAL STOPS: 6,556**

**STREET ADDRESS OR APPROXIMATE LOCATION OF STOP.**

City Street	3,937
US Highway	0
State Highway	2,589
County Road	27
Private Property	3

**WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?**

Yes	9
No	6,547

**RACE OR ETHNICITY**

Alaska Native/American Indian	62
Asian/Pacific Islander	316
Black	2,702
White	1,725
Hispanic/Latino	1,751

**GENDER**

**Female Total: 2,652**

Alaska Native/American Indian	23
Asian/Pacific Islander	92
Black	1,283
White	666
Hispanic/Latino	588

**Male Total: 3,904**

Alaska Native/American Indian	39
Asian/Pacific Islander	224
Black	1,419
White	1,059
Hispanic/Latino	1,163

**REASON FOR STOP?**

**Violation of Law Total: 9**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	4
White	2
Hispanic/Latino	3

**Pre-existing Knowledge Total: 35**

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	11
White	5
Hispanic/Latino	17

**Moving Traffic Violation Total: 5,111**

Alaska Native/American Indian	52
Asian/Pacific Islander	265
Black	1,929
White	1,454
Hispanic/Latino	1,411

**Vehicle Traffic Violation Total: 1,401**

Alaska Native/American Indian	10
Asian/Pacific Islander	49
Black	758
White	264
Hispanic/Latino	320

**Contraband (in plain view) Total: 18**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	12
White	1
Hispanic/Latino	5

**WAS SEARCH CONDUCTED?**

	YES	NO
Alaska Native/American Indian	2	60
Asian/Pacific Islander	1	315
Black	72	2,630
White	22	1,703
Hispanic/Latino	26	1,725
<b>TOTAL</b>	<b>123</b>	<b>6,433</b>

**Probable Cause Total: 50**

Alaska Native/American Indian	2
Asian/Pacific Islander	0
Black	39
White	5
Hispanic/Latino	4

**Inventory Total: 24**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	8
White	8
Hispanic/Latino	8

**REASON FOR SEARCH?**

**Consent Total: 14**

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	3
White	6
Hispanic/Latino	4

**Incident to Arrest Total: 17**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	10
White	2
Hispanic/Latino	5

**WAS CONTRABAND DISCOVERED?**

	YES	NO
Alaska Native/American Indian	2	0
Asian/Pacific Islander	0	1
Black	49	23
White	9	13
Hispanic/Latino	11	15
<b>TOTAL</b>	<b>71</b>	<b>52</b>

**Did the finding result in arrest?**

	YES	NO
Alaska Native/American Indian	2	0
Asian/Pacific Islander	0	0
Black	24	25
White	5	4
Hispanic/Latino	5	6
<b>TOTAL</b>	<b>36</b>	<b>35</b>

**DESCRIPTION OF CONTRABAND**

**Drugs Total: 52**

Alaska Native/American Indian	2
Asian/Pacific Islander	0
Black	38
White	8
Hispanic/Latino	4

**Currency Total: 0**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

**Weapons Total: 7**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	5
White	2
Hispanic/Latino	0

**Alcohol Total: 19**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	10
White	1
Hispanic/Latino	8

**Stolen Property Total: 0**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

**Other Total: 8**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	6
White	0
Hispanic/Latino	2

**RESULT OF THE STOP**

**Verbal Warning Total: 62**

Alaska Native/American Indian	0
Asian/Pacific Islander	4
Black	30
White	23
Hispanic/Latino	5

**Written Warning Total: 3,307**

Alaska Native/American Indian	32
Asian/Pacific Islander	162
Black	1,465
White	936
Hispanic/Latino	712

**Citation Total: 3,091**

Alaska Native/American Indian	28
Asian/Pacific Islander	148
Black	1,147
White	751
Hispanic/Latino	1,017

**Written Warning and Arrest Total: 42**

Alaska Native/American Indian	1
Asian/Pacific Islander	1
Black	23
White	9
Hispanic/Latino	8

**Citation and Arrest Total: 41**

Alaska Native/American Indian	1
Asian/Pacific Islander	1
Black	28
White	6
Hispanic/Latino	5

**Arrest Total: 13**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	9
White	0
Hispanic/Latino	4

# TIER 2 DATA

## ARREST BASED ON

### Violation of Penal Code Total: 66

Alaska Native/American Indian	1
Asian/Pacific Islander	2
Black	42
White	10
Hispanic/Latino	11

### Violation of Traffic Law Total: 20

Alaska Native/American Indian	1
Asian/Pacific Islander	0
Black	10
White	5
Hispanic/Latino	4

### Violation of City Ordinance Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

### Outstanding Warrant Total: 10

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	8
White	0
Hispanic/Latino	2

## Was physical force used resulting in bodily injury during the stop?

	YES	NO
Alaska Native/American Indian	0	62
Asian/Pacific Islander	0	316
Black	0	2,702
White	0	1,725
Hispanic/Latino	0	1,751
<b>TOTAL</b>	<b>0</b>	<b>6,556</b>



**Table 1. Citations and Warnings**

Race/ Ethnicity	All Contacts	Citations	Verbal Warning	Written Warning	Contact Percent	Citation Percent	Verbal Percent	Written Percent
<b>Alaska Native/ American Indian</b>	62	29	0	32	1%	1%	0%	1%
<b>Asian/ Pacific Islander</b>	316	149	4	162	5%	5%	6%	5%
<b>Black</b>	2,702	1,175	30	1,465	41%	38%	48%	44%
<b>White</b>	1,725	757	23	936	26%	24%	37%	28%
<b>Hispanic/ Latino</b>	1,751	1,022	5	712	27%	33%	8%	22%
<b>TOTAL</b>	6,556	3,132	62	3,307	100%	100%	100%	100%



**Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison**

Comparison of motor vehicle-related contacts with households that have vehicle access.

Race/Ethnicity	Contact Percentage	Households with Vehicle Access
<b>Alaska Native/American Indian</b>	1%	0%
<b>Asian/Pacific Islander</b>	5%	6%
<b>Black</b>	41%	26%
<b>White</b>	26%	50%
<b>Hispanic/Latino</b>	27%	17%
<b>TOTAL</b>	100%	99%

**Table 3. Motor Vehicle Searches and Arrests.**

Race/Ethnicity	Searches	Consent Searches	Arrests
<b>Alaska Native/American Indian</b>	2	0	2
<b>Asian/Pacific Islander</b>	1	1	2
<b>Black</b>	72	3	60
<b>White</b>	22	6	15
<b>Hispanic/Latino</b>	26	4	17
<b>TOTAL</b>	123	14	96

**Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury**

<b>Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury</b>	<b>Arrest</b>	<b>Location of Stop</b>	<b>Reason for Stop</b>	<b>Bodily Harm</b>

**Table 5. Search Data**

<b>Race/ Ethnicity</b>	<b>Searches</b>	<b>Contraband Found Yes</b>	<b>Contraband Found No</b>	<b>Arrests</b>	<b>Percent Searches</b>	<b>Percent Contraband Found</b>	<b>Percent No Contraband</b>	<b>Percent Arrest</b>
<b>Alaska Native/ American Indian</b>	2	2	0	2	2%	3%	0%	2%
<b>Asian/ Pacific Islander</b>	1	0	1	2	1%	0%	2%	2%
<b>Black</b>	72	49	23	60	59%	69%	44%	63%
<b>White</b>	22	9	13	15	18%	13%	25%	16%
<b>Hispanic/ Latino</b>	26	11	15	17	21%	15%	29%	18%
<b>TOTAL</b>	123	71	52	96	100%	100%	100%	100%

**Table 6. Report on Audits.**

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/25-12/31/25.

<b>Audit Data</b>	<b>Number of Data Audits Completed</b>	<b>Date of Completion</b>	<b>Outcome of Audit</b>
1	1	03/01/25	Data was valid and reliable
2	1	06/01/25	Data was valid and reliable
3	1	09/01/25	Data was valid and reliable
4	1	12/01/25	Data was valid and reliable

<b>ADDITIONAL COMMENTS:</b>

**Table 7. Instance Where Force Resulted in Bodily Injury.**

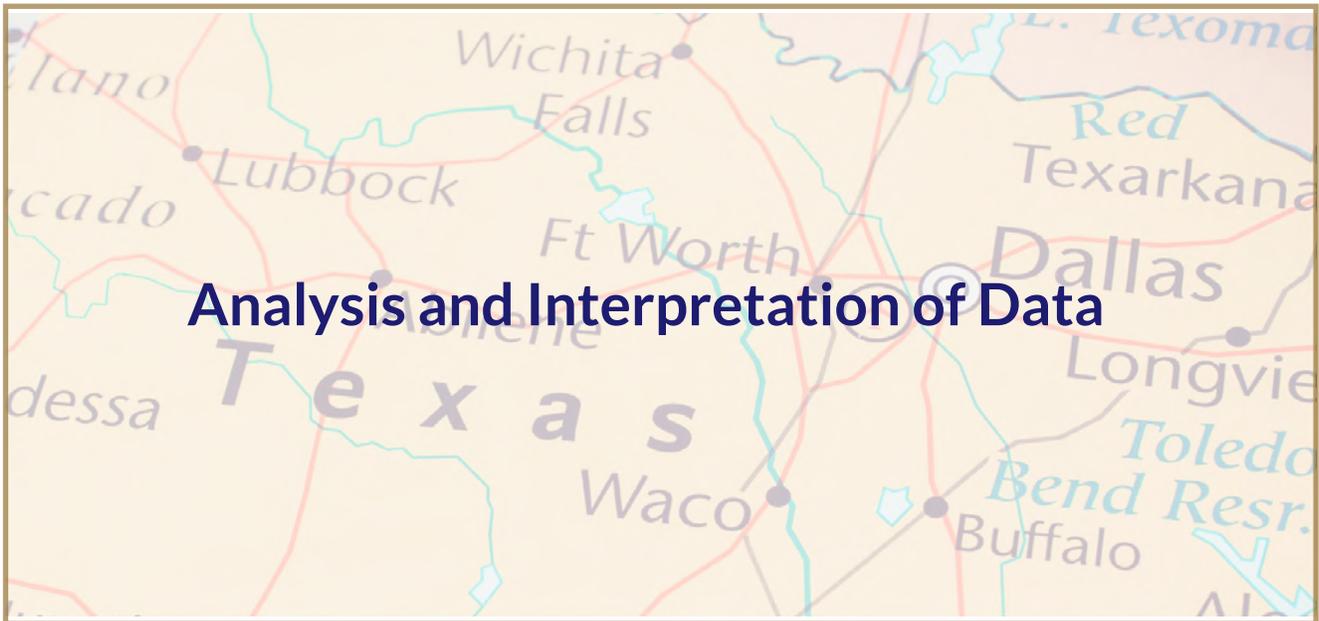
<b>Race/Ethnicity</b>	<b>Number</b>	<b>Percent</b>
Alaska Native/American Indian	0	0%
Asian/Pacific Islander	0	0%
Black	0	0%
White	0	0%
Hispanic/Latino	0	0%
<b>TOTAL</b>	0	0%

Table 8. Reason for Arrests from Vehicle Contact

Race/ Ethnicity	Violation of Penal Code	Violation of Traffic Law	Violation of City Ordinance	Outstanding Warrant	Percent Penal Code	Percent Traffic Law	Percent City Ordinance	Percent Warrant
Alaska Native/ American Indian	1	1	0	0	2%	5%	0%	0%
Asian/Pacific Islander	2	0	0	0	3%	0%	0%	0%
Black	42	10	0	8	64%	50%	0%	80%
White	10	5	0	0	15%	25%	0%	0%
Hispanic/ Latino	11	4	0	2	17%	20%	0%	20%
<b>TOTAL</b>	66	20	0	10	100%	100%	0%	100%

Table 9. Contraband Hit Rate

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate	Search Percent	Contraband Percent
Alaska Native/ American Indian	2	2	100%	2%	3%
Asian/ Pacific Islander	1	0	0%	1%	0%
Black	72	49	68%	59%	69%
White	22	9	41%	18%	13%
Hispanic/Latino	26	11	42%	21%	15%



## Legislative Background and Statutory Framework

In 2001, the Texas Legislature enacted Senate Bill 1074, establishing the Texas Racial Profiling Law. This legislation became effective on January 1, 2002, and required all law enforcement agencies in Texas to collect traffic-related contact data and submit annual reports to their respective local governing authorities by March 1 of each calendar year. The original statutory framework remained substantially unchanged until 2009, when the Texas Legislature passed House Bill 3389, introducing significant amendments to the data collection and reporting requirements.

The 2009 legislative amendments, which took effect on January 1, 2010, expanded the definition of reportable contacts to include all motor vehicle-related encounters resulting in the issuance of a citation or custodial arrest. Additionally, the amended statute required law enforcement officers to document whether they possessed knowledge of the individual's race or ethnicity prior to initiating the detention. The 2009 legislation also mandated the inclusion of "Middle Eastern" as a distinct racial and ethnic classification category and established TCOLE as the central repository for annual data submissions.

In 2017, the Texas Legislature enacted two significant pieces of legislation affecting racial profiling data collection requirements. House Bill 3051 eliminated the Middle Eastern classification category and standardized racial and ethnic designations to align with federal reporting standards. Concurrently, the Sandra Bland Act (Senate Bill 1849) was passed and signed into law, representing the most comprehensive legislative mandate in Texas history regarding law enforcement contact data requirements. The Sandra Bland Act, which became effective on January 1, 2018, not only expanded data collection requirements but also mandated detailed analytical assessments addressing the following statutory elements:

1. *A comparative analysis of compiled information pursuant to Article 2.133, including:*
  - a. *Evaluation and comparison of motor vehicle stops within the applicable jurisdiction between persons recognized as racial or ethnic minorities and persons not recognized as racial or ethnic minorities;*
  - b. *Examination of the disposition of motor vehicle stops conducted by agency personnel, categorized according to the race or ethnicity of affected persons, including any searches resulting from stops within the applicable jurisdiction;*
  - c. *Evaluation and comparison of searches resulting from motor vehicle stops within the applicable jurisdiction and documentation of whether contraband or other evidence was discovered during the course of such searches.*
2. *Documentation of all complaints filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.*

## **Analytical Methodology and Baseline Considerations**

In accordance with the Texas Racial Profiling Law and Sandra Bland Act requirements, the Iowa Colony Police Department commissioned an independent analysis of its 2025 motor vehicle contact data. The analytical framework employed in this study incorporated two distinct methodological approaches. The primary analysis involved a comprehensive evaluation of all motor vehicle-related contact data collected during the 2025 reporting period. This analysis measured, as required by statute, the number and percentage of contacts involving individuals classified as White, Black, Hispanic or Latino, Asian and Pacific Islander, and Alaska Native and American Indian, who encountered law enforcement during motor vehicle-related contacts resulting in the issuance of citations, warnings, or custodial arrests.

The Tier 2 data analysis encompassed multiple variables including, but not limited to: the number and percentage of contacts by race and ethnicity; gender distribution; documented reason for the stop; geographic location of the encounter; search activity including search type classification; outcome of the contact; legal basis for any resulting arrest; and any use of physical force resulting in bodily injury. This comprehensive data collection framework enables a thorough assessment of departmental practices and facilitates identification of any patterns warranting further examination.

The analytical framework employed in this report utilized a comparative methodology that assessed 2025 motor vehicle contact data against an established demographic baseline. It should be noted that considerable scholarly debate exists regarding the appropriate baseline measure for analyzing motor vehicle-related contact data. Among available baseline measures, the Iowa Colony Police Department accepted the recommendation to employ the Fair Roads Standard as the primary comparative benchmark. This particular baseline is derived from U.S. Census Bureau data (2020) pertaining to the number of households with vehicle access, controlled for the race and ethnicity of heads of households.

It is important to acknowledge the methodological limitations inherent in utilizing census-derived baseline data for racial profiling analysis. Census data encompasses all residents within a given jurisdiction, regardless of their status within the driving population. Furthermore, census data captures information exclusively pertaining to municipal residents, thereby excluding individuals who may have encountered the Iowa Colony Police Department during the reporting period but reside outside jurisdictional boundaries. In certain municipalities, contacts with non-residents constitute a substantial proportion of all motor vehicle-related encounters recorded during any given reporting period.

In 2002, prominent civil rights organizations in Texas advocated for the adoption of the Fair Roads Standard as the preferred baseline measure for all law enforcement agencies conducting racial profiling analyses. This standard compares census data specific to "households" with vehicle access against "contacts," which represent individual-level counts. This methodological approach introduces the potential for ecological fallacy, as household-level data is being compared with individual-level contact data. Notwithstanding these limitations, the Iowa Colony Police Department elected to employ this comparison methodology to demonstrate institutional commitment to transparency and community accountability. The Fair Roads Standard data utilized in this analysis is specific to the jurisdiction of the Houston-Baytown CSA.

## **Tier 2 Motor Vehicle-Related Contact Analysis (2025)**

Examination of the enhanced Tier 2 data collected during the 2025 reporting period reveals distinct patterns in motor vehicle-related contacts. The demographic distribution of contacts indicates that the majority of motor vehicle-related encounters involved Black individuals, followed by Hispanic individuals. Among all individuals contacted by law enforcement, the greatest number of citations were issued to Black and Hispanic individuals, followed by White individuals. With respect to written warnings, the majority were issued to Black individuals, with White individuals representing the second largest recipient group.

Analysis of search and arrest data reveals that the majority of searches were conducted involving Black individuals. When examining search methodology, the greatest number of consent searches involved White and Hispanic individuals. The majority of custodial arrests involved Black individuals. Overall, the preponderance of searches resulted in the discovery of contraband. Among searches that yielded contraband, the majority involved Black individuals, followed by Hispanic individuals. Among searches that did not produce contraband, the majority involved Black individuals.

Arrest data indicates that the majority of custodial arrests involved Black individuals. Among arrests originating from alleged violations of the Texas Penal Code, the majority involved Black individuals. With respect to use of force, the department reports no instances where physical force was used resulting in bodily injury during the reporting period.

## **Comparative Analysis**

A comprehensive comparative analysis was conducted examining 2025 motor vehicle contact data against census data pertaining to households within the Houston-Baytown CSA that reported vehicle access in the 2020 Census. This analysis produced the following findings:

The percentage of White and Asian individuals who came into contact with law enforcement was equal to or lower than the percentage of White and Asian households within the Houston-Baytown CSA that reported vehicle access in the most recent census enumeration. Conversely, the data revealed that a higher percentage of Black, Hispanic, and American Indian individuals came into contact with law enforcement compared to the percentage of Black, Hispanic, and American Indian households that reported vehicle access. It should be noted that the percentage differential for American Indian contacts relative to household representation is 1%, which may be considered statistically insignificant depending upon the analytical threshold employed.

The contraband discovery rate analysis reveals that among all searches conducted during the 2025 reporting period, American Indian individuals demonstrated the highest contraband hit rate, followed by Black and Hispanic individuals respectively. This indicates that among all searches performed, the highest percentage of searches resulting in contraband discovery involved American Indian individuals. The lowest contraband discovery rate was observed among Asian individuals.

## **Summary of Findings**

As mandated by the current Texas Racial Profiling Law, law enforcement agencies are required to conduct data audits to validate the accuracy and reliability of reported data. In compliance with this requirement, the Iowa Colony Police Department engaged Del Carmen Consulting, LLC to perform independent data audits consistent with normative statistical practices and methodological standards. As documented in the accompanying audit report, the validation process confirms that the data submitted is both valid and reliable.

Furthermore, as required by statute, this report includes a comprehensive analysis of search activity, including documentation of whether contraband was discovered as a result of searches while controlling for the race and ethnicity of searched individuals. The search analysis demonstrates that the Iowa Colony Police Department is engaging in search practices consistent with prevailing national trends in law enforcement and does not reveal patterns indicative of discriminatory practices.

Based upon the analytical findings presented in this report, the following recommendations are offered to ensure continued compliance and institutional best practices:

1. Continue to collect and evaluate supplementary motor vehicle contact data elements, including but not limited to documented basis for probable cause searches and detailed contraband classification, which may prove valuable in assessing the nature and circumstances of law enforcement contacts with all individuals.
2. Commission an independent analysis of contact and search data during the upcoming reporting period to maintain analytical continuity and identify any emerging trends.
3. Continue to commission periodic data audits to ensure data integrity and verify that collected data is consistent with reported data, thereby maintaining the validity and reliability of all submissions.

## **Conclusion**

The comprehensive data analysis presented in this report serves as documented evidence that the Iowa Colony Police Department has achieved full compliance with the Texas Racial Profiling Law and all associated statutory requirements. This report demonstrates that the department has:

- Implemented and maintains a comprehensive racial profiling policy in accordance with statutory requirements;
- Established and publicized procedures for members of the public to file compliments or complaints regarding officer conduct;
- Commissioned periodic data audits to ensure the validity and reliability of all collected and reported data;
- Collected and commissioned independent analysis of all required Tier 2 data elements; and
- Ensured that the practice of racial profiling is expressly prohibited and will not be accepted or tolerated within the organization.

The Iowa Colony Police Department remains committed to constitutional policing practices, equitable treatment of all individuals, and continued compliance with all applicable state and federal requirements pertaining to racial profiling prevention and reporting.

# APPENDICES

*[This section should include the following reference materials:]*

- ✓ Original text of Senate Bill 1074 (Texas Racial Profiling Law)
- ✓ Sandra Bland Act (Senate Bill 1849) - Current governing law
- ✓ TCOLE compliance requirements and guidelines
- ✓ Agency racial profiling policy documentation
- ✓ Training documentation and certifications
- ✓ Complaint and compliment procedure documentation
- ✓ Data audit methodology and validation results
- ✓ Tier 2 data collection forms and submission confirmation



# LEGISLATIVE & ADMINISTRATIVE

# TCOLE GUIDELINES

## Guidelines for Compiling and Reporting Data under Senate Bill 1074

### Background

Senate Bill 1074 of the 77<sup>th</sup> Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

### Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

### Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an “agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers’ official duties.”

The article further defines race or ethnicity as being of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.” The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

## **Standard 2**

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person’s race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer’s best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

## **Commentary**

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, “the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.”

## **Standard 3**

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

## Commentary

Senate Bill 1074 from the 77<sup>th</sup> Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for “tier one” data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”);
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person’s gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

#### **Standard 4**

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

#### **Commentary**

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

#### **Standard 5**

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

#### **Commentary**

None

#### **Standard 6**

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

#### **Commentary**

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

### **Standard 7**

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

### **Commentary**

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

# The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled

during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and  
(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling;  
and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~7~~] the date of conviction; and

(9) [~~8~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

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President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

# Modifications to the Original Law

## (H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

- (A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);
- (B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);
- (C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);
- (D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION \_\_\_\_\_. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle~~[traffic]~~ stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, ~~[or]~~ Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle ~~[traffic]~~ stops in which a citation is issued and to arrests made as a result of ~~[resulting from]~~ those ~~[traffic]~~ stops, including information relating to:
  - (A) the race or ethnicity of the individual detained; and
  - (B) whether a search was conducted and, if so, whether the individual ~~[person]~~ detained consented to the search; and
  - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit ~~[to the governing body of each county or~~

~~municipality served by the agency]~~ an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle ~~[traffic]~~ stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle ~~[traffic]~~ stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

SECTION \_\_\_\_\_. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE ~~[TRAFFIC AND PEDESTRIAN]~~ STOPS. (a) In this article, "race ~~[:~~

~~[(1) "Race]~~ or ethnicity" has the meaning assigned by Article 2.132(a).

~~[(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.]~~

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance ~~[regulating traffic or who stops a pedestrian for any suspected offense]~~ shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any ~~[each]~~ person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop ~~[traffic law or ordinance alleged to have been violated or the suspected offense];~~

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description ~~[the type]~~ of the contraband or evidence ~~[discovered];~~

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle ~~[existed and the facts supporting the existence of that probable cause];~~

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop~~[, including a description of the warning or a statement of the violation charged].~~

SECTION \_\_\_\_\_. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[, "pedestrian] stop" has the meaning assigned by Article 2.132(a) ~~[means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest].~~

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each ~~[local]~~ law enforcement agency shall submit a report containing the incident-based data ~~[information]~~ compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency ~~[in a manner approved by the agency].~~

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities ~~[determine the prevalence of racial profiling by peace officers employed by the agency];~~ and

(B) examine the disposition of motor vehicle ~~[traffic and pedestrian]~~ stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from [the] stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic or pedestrian]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION \_\_\_\_\_. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle [~~traffic and pedestrian~~] stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle [~~traffic and pedestrian~~] stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle [~~traffic or pedestrian~~] stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION \_\_\_\_\_. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION \_\_\_\_\_. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION \_\_\_\_\_. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;

(3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;

(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;

(5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]

(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and

(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION \_\_\_\_\_. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;

(3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;

(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;

(5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]

(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and

(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION \_\_\_\_\_. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;

(2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;

(3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$4;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4;
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5;
- (7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; ~~and~~
- (8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7; and
- (9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION \_\_\_\_\_. Section 102.121, Government Code, is amended to read as follows:

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION \_\_\_\_\_. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION \_\_\_\_\_. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

- (a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:
  - (1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure;  
or

(3) a commission rule.

SECTION \_\_\_\_\_. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

# Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) ~~[of a particular descent, including Caucasian, African, Hispanic,]~~ Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino ~~[, Native American, or Middle Eastern descent]~~.

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

(1) Alaska native or American Indian;

(2) ~~[of a particular descent, including Caucasian, African, Hispanic,]~~ Asian or Pacific Islander;

(3) black;

(4) white; and

(5) Hispanic or Latino ~~[, or Native American descent]~~.

SECTION 3. This Act takes effect September 1, 2017.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor

# The Sandra Bland Act

## (S.B. 1849)

S.B. No. 1849

An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

### ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

### ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,

Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

### ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

- (a) The commission shall:
- (1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;
  - (2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;
  - (3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;
  - (4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;
  - (5) revise, amend, or change rules and procedures if necessary;
  - (6) provide to local government officials consultation on and technical assistance for county jails;
  - (7) review and comment on plans for the construction and major modification or renovation of county jails;
  - (8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;
  - (9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules and procedures adopted under this chapter;
  - (10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;
  - (11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;
  - (12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;
  - (13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;
  - (14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;
  - (15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;
  - (16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:
    - (A) common issues concerning jail administration;
    - (B) examples of successful strategies for maintaining compliance with state law and the rules,

standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

- (1) appropriations of money to the fund by the legislature; and
- (2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

- (1) a suicide;
- (2) an attempted suicide;
- (3) a death;
- (4) a serious bodily injury, as that term is defined by

Section 1.07, Penal Code;

- (5) an assault;
- (6) an escape;
- (7) a sexual assault; and
- (8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection

(a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

#### ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

- (1) topics selected by the agency; and
- (2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:
  - (A) civil rights, racial sensitivity, and cultural diversity;
  - (B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]
  - (C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and
  - (D) unless determined by the agency head to be inconsistent with the officer's assigned duties:
    - (i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and
    - (ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

## ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- (A) the Texas Commission on Law Enforcement; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

- (A) the person's gender; and
- (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)

to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed \$5,000 [of \$1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and  
(B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

\_\_\_\_\_  
Senate Speaker of the House

\_\_\_\_\_  
President of the

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote:  
Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote:  
Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

\_\_\_\_\_  
Chief Clerk of the House

**IOWA COLONY  
POLICE DEPARTMENT  
RACIAL PROFILING POLICY**

## Bias-Based Policing

### 401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Iowa Colony Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

#### 401.1.1 DEFINITIONS

Definitions related to this policy include:

**Bias-based policing or improper profiling** - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Tex. Code of Crim. Pro. art. 2B.0051). This includes explicit and implicit biases (i.e., conscious and unconscious beliefs or attitudes toward certain groups).

### 401.2 POLICY

The Iowa Colony Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural, or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively, and without discrimination toward any individual or group (Tex. Code of Crim. Pro. art. 2B.0053).

### 401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### 401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

## *Bias-Based Policing*

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### 401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

### 401.4.2 REPORTING TRAFFIC STOPS

The Patrol Division Commander should ensure that the Department has appropriate systems in place to collect information required by state racial profiling laws.

Each time an officer makes a traffic stop, the officer shall gather the required information using the system in place for racial profiling reporting (Tex. Code of Crim. Pro. art. 2B.0054).

## **401.5 SUPERVISOR RESPONSIBILITIES**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and their supervisor in a timely manner.
  1. Supervisors should document these discussions in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, body-worn camera (BWC) media, Mobile Data Computer (MDC) data, and any other available resource used to document contact between officers and the public to ensure compliance with this policy (Tex. Code of Crim. Pro. art. 2B.0151).
  1. Supervisors should document these periodic reviews.
  2. At least every six months, supervisory reviews shall include at least three random BWC and/or MAV videos for each officer.
  3. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

## **401.6 STATE REPORTING**

The Chief of Police shall submit a report to the Texas Commission on Law Enforcement (TCOLE) and to each governing body served by the Department by March 1 of each year in accordance with Tex. Code of Crim. Pro. art. 2B.0055.

## *Bias-Based Policing*

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The report may not include identifying information about the officer who made the traffic stop or about any individual who was stopped or arrested (Tex. Code of Crim. Pro. art. 2B.0055).

### **401.7 ADMINISTRATION**

The Patrol Division Commander should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The report should also include a documented review of department activities with potential for bias. This may include traffic and field contacts, asset forfeiture efforts, citizen complaints, and any corrective measures taken. The annual report should not contain any identifying information about any specific complaint, member of the public, or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service (Tex. Code of Crim. Pro. art. 2B.0053).

Supervisors should review the annual report and the report submitted to TCOLE and discuss the results with those they are assigned to supervise.

### **401.8 COMPLIMENTS AND COMPLAINTS**

The Patrol Division Commander is responsible for educating the public on the department's compliment and complaint process (see the Personnel Complaints Policy). This education may be achieved by information provided through the department website. This information shall include the telephone number, mailing address, and email address to make a compliment or complaint regarding a ticket, citation, or warning issued by an officer.

In the event that an investigation is initiated against an officer for a violation of this policy, the Patrol Division Commander should ensure that a copy of any related recording is provided as soon as practicable to the officer upon written request (Tex. Code of Crim. Pro. art. 2B.0053).

### **401.9 TRAINING**

Training on fair and objective policing and review of this policy shall be conducted annually and include:

- (a) Explicit and implicit biases.
- (b) Avoiding improper profiling.



For additional questions regarding the information presented in this report, please contact:

**Del Carmen Consulting©**  
**817.681.7840**  
**[www.texasracialprofiling.com](http://www.texasracialprofiling.com)**  
**[www.delcarmenconsulting.com](http://www.delcarmenconsulting.com)**

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# IOWA COLONY POLICE DEPARTMENT

3144 Meridiana Pkwy  
Iowa Colony, Texas 77583

Aaron I. Bell  
Chief of Police

Phone: (281) 369-3444  
Fax: (281) 406-3722

## Monthly Report January 2026

Offense	December 2025	January 2026
Burglary	4	1
Theft	3	2
Robbery	0	0
Total Index Crimes Reported	7	3
<b>Reports Taken</b>		
Misdemeanor	41	29
Felony	17	12
<b>Charges Filed/Arrests</b>		
Misdemeanor	34	31
Felony	7	4
Outside Agency Warrant Arrest	2	4
<b>Traffic Enforcement</b>		
Number of Violations	989	974
<b>Crash Investigations</b>		
Minor Crashes	27	13
Major Crashes	0	3
Fatality Crashes	0	0
<b>Calls for Service</b>		
Alarms	27	30
Assist Other Agency	47	46
Disturbance	14	18
Other	297	272
Security Checks	739	883
Suspicious Activity/Persons	35	24

### Significant Events

- January 1 – Officers were dispatched to the 4800 block of Cedar Rapids Pkwy in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 3 – Officers were dispatched to the 10100 block of Stride Ct in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 4 – Officers were dispatched to the 4000 block of Kinsey St in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.



# IOWA COLONY POLICE DEPARTMENT

Item 8.

3144 Meridiana Pkwy  
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- January 4 – Officers conducted a traffic stop in the 3100 block of Meridiana Pkwy. During the traffic stop it was found the driver had an outstanding warrant through Brazoria County. An arrest was made and a report was generated.
- January 6 – Officers conducted a traffic stop in SH 288/CR 60. During the traffic stop it was found the driver had a suspended driver license. An arrest was made and a report was generated.
- January 6 – Officers conducted a traffic stop in the area of SH 288/Meridiana Pkwy. During the traffic stop, drug paraphernalia was found in the vehicle. Citations were issued and the driver was released.
- January 7 – Officers were dispatched to the 4500 block of Cooper Ln in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 7 – Officers conducted a traffic stop in the area of Valley Glen Dr/Meridiana Pkwy. During the traffic stop it was found the driver had an outstanding warrant through Fort Bend County. An arrest was made and a report was generated.
- January 8 – Officers were dispatched to the 9800 block of Opal Rock Dr in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 8 – Officers were dispatched to the 10600 block of Dolce Ln in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 9 – Officers conducted a traffic stop in the 27000 block of SH 288. During the traffic stop it was found that the driver of the vehicle was intoxicated. An arrest was made and a report was generated.
- January 9 – Officers conducted a traffic stop in the area of Cedar Rapids Pkwy/Bayberry Dr. During the traffic stop it was found the driver had a suspended driver license. An arrest was made and a report was generated.
- January 10 – Officers conducted a traffic stop in the 4300 block of Cedar Rapids Pkwy. During the traffic stop it was found the driver had an outstanding warrant through Wharton County. An arrest was made and a report was generated.
- January 11 – Officers conducted a traffic stop in the area of SH 288/Iowa Colony Blvd. During the traffic stop it was found that the driver of the vehicle was intoxicated. An arrest was made and a report was generated.
- January 14 – Officers were dispatched to the 4000 block of Kinsey St in reference to a disturbance. During the investigation it was found that a person involved had an outstanding warrant through Gonzales County. An arrest was made and a report was generated.



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- January 18 – Officers conducted a traffic stop in the area of SH 288/Davenport Pkwy. During the traffic stop it was found that the driver of the vehicle was intoxicated. An arrest was made and a report was generated.
- January 18 – Officers conducted a traffic stop in the 11000 block of Iowa Colony Blvd. During the traffic stop it was found the driver had a suspended driver license. An arrest was made and a report was generated.
- January 19 – Officers conducted a traffic stop in the area of SH 288/Meridiana Pkwy. During the traffic stop it was found the driver had a suspended driver license. An arrest was made and a report was generated.
- January 20 – Officers were dispatched to the 4700 block of Franklin Way in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 22 – Officers attempted a traffic stop in the area of Cedar Rapids Pkwy/Beaming Sun Ln for a traffic violation. The driver of the vehicle refused to stop. After a short pursuit, the driver pulled over. An arrest was made and a report was generated.
- January 22 – Officers conducted a traffic stop in the area of SH 288/Davenport Pkwy. During the traffic stop it was found that the driver of the vehicle was intoxicated. An arrest was made and a report was generated.
- January 25 – Officers were dispatched to the 10100 block of Maclaren Dr in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 25 – Officers were dispatched to the 3500 block of Cassini Dr in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 26 – Officers were dispatched to the 9400 block of Gold Mountain Dr in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 29 – Officers were dispatched to the 9400 block of Sapphire Creek Ln in reference to a disturbance. Upon arrival it was found an assault had occurred. An arrest was made and a report was generated.
- January 30 – Officers conducted a traffic stop in the area of SH 288/SH 6. During the traffic stop it was found that the driver of the vehicle was intoxicated. An arrest was made and a report was generated.
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## MEMORANDIUM

Date: February 4, 2026  
 To: Mayor Wil Kennedy  
       City Council Members  
 From: Dinh V. Ho, P.E.  
 RE: COIC Council Meeting – February 2026 Engineer’s Report  
 cc: Dr. Tarron Richardson, Kayleen Rosser, Natasha Brooks

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The following is a status report of various engineering items:

1. TxDOT Overpasses:
  - Overpass is substantially complete.
  - Staff will be working with TxDOT on landscape improvements.
  - TxDOT is requesting an amendment to the AFA Agreement for additional costs associated with the black coated sign poles. The amount is \$48,355.27.
  
2. GRANTS UPDATE
  - Resilient Communities Program
    - i. The consultant, Public Management Inc., is currently gathering data for the project.
    - ii. We expect them to have a presentation in the 1<sup>st</sup> Quarter 2026.
  
3. Capital Improvement Projects
  - 2023 Ames Blvd Extension
    - i. The final offer has been sent to the property owner.
    - ii. Currently under design at 90%, pending ROW acquisition.
  
  - Northwest WWTP 0.75 MGD
    - i. Construction Documents approximately 95% complete.
    - ii. Bid Opening date is scheduled for March 19, 2026.
  
  - Southwest WWTP WWTP 0.50 MGD
    - i. Preliminary Design Phase (10% complete).
  
  - Elevated Storage Tank
    - i. Preliminary Design Phase (5% complete)
  
  - 2025 Impact Fee Update:
    - i. Kickoff meeting scheduled for 2/10/26
    - ii. Expected completion within 6-8 months.
  
  - Water and Sewer Rate Study:
    - i. Heddin Consulting is providing this services
    - ii. Kickoff meeting expected in February
  
  - CRS Flood Insurance Program
    - i. Cahoon Consulting is providing this services
    - ii. Kickoff meeting expected in February

4. SUBDIVISION CONSTRUCTION PROJECT STATUS:

A. *MERIDIANA SUBDIVISION – RISE COMMUNITIES*

- Active construction projects
  - Detention Pond O & P – Hardscape – 90% Complete
  - BCMUD 55 WWTP Expansion Ph 4 – 70% complete.
  - Meridiana Section 55C – 60% Utilities Complete, 10% pavement Complete.

B. *STERLING LAKES – STARWOOD*

- Active construction projects.
  - BCMUD 31 WWTP Expansion Ph IV – 99% Complete. Awaiting punch list items to be addressed. Awaiting final closeout documents.
  - BCMUD 31 Water Well 1 and 2 Rework – Waiting of close-out docs Well No.2
  - BCMUD 31 Waterplant No. 2 Phase I – 10% complete

C. *SIERRA VISTA - STARWOOD*

- Active construction projects

D. *SIERRA VISTA WEST - STARWOOD*

- Active construction projects:
  - BCMUD 53 Wastewater Treatment Plant Expansion – Awaiting on punchlist Items
  - Sierra Vista West Mass Grading and Detention Phase II – Awaiting punchlist
  - Sierra Vista West Ph II B Excavation and Grading – Awaiting punchlist items.
  - Sierra Vista West Section 11 – Awaiting closing documents

E. *STERLING LAKES NORTH - STARWOOD*

- Active construction projects:
  - Sterling Lakes North Detention – Awaiting punch list items.
  - Karsten Blvd North Phase IV – Complete
  - Sterling Lakes Dr. Extension – Complete
  - Sterling Lakes North Lift Station No. 1 – Awaiting closeout documents.
  - Sterling Lakes North Lift Station No. 2 – On agenda for acceptance into OYMP.

F. *CALDWELL CROSSING – DR HORTON*

- Active construction projects
  - BCMUD 87 Detention and Grading Phase 2 – Awaiting Punch list items
  - BCMUD 87 Water Plant No. 1 – 85% Complete. Awaiting power.
  - BCMUD 87 Offsite 8" Force Main & Waterline – 75% utilities.
  - BCMUD 87 Lift Station No. 2 – 90% complete, awaiting final walk.
  - BCMUD 87 WWTP Expansion and Onsite Lift Station No. 1 – 80% complete.
  - Caldwell Ranch Crossing Detention Ph IIB – Complete
  - Caldwell Crossing Section 3 – On agenda for acceptance into OYMP
  - Caldwell Crossing Section 4 – Awaiting closeout Documents.
  - Caldwell Crossing Section 5 – 70% Utilities Complete, 75% pavement complete.
  - Caldwell Crossing Section 6 – 70% Utilities Complete, 75% pavement complete.

G. *CALDWELL LAKES – DR HORTON*

- Active construction projects
  - BCMUD 87 Detention and Grading Ph 3 – Complete.
  - Caldwell Lakes Section 1 – 80% Utilities, 80% Paving.
  - Caldwell Lakes Section 2 – 80% Utilities, 80% Paving.
  - Caldwell Ranch Blvd Ph IIIB – 75% utilities Complete, 75%Paving Complete.

- BCMUD 87 Detention and Mass Grading Ph IV - 80% Complete.
- BCMUD 87 Remote Water Well 5% Complete.

*H. CREEKHAVEN – MUD 92 - STARWOOD*

- Active construction projects:
  - Mass Grading and Detention Ph 1 – 80% complete
  - BCMUD 92 Water Plant No. 1 – On agenda for acceptance into OYMP.
  - BCMUD 92 WWTP No. 1- 85% complete. Awaiting on power.
  - BCMUD 92 Offsite lift station. – 85% complete. Awaiting on power.
  - Creekhaven Mass Grading Phase II – 75% complete.
  - Creekhaven Section 4 - Utilities 60% complete, 20% pavement Complete.
  - Creekhaven Boulevard Phase II - Utilities 75% complete, 30% pavement Complete.
  - Creekhaven Section 5 – 60% Utilities complete, 30% Paving.
  - Creekhaven Section 6 – 45% Utilities complete, 10% pavement Complete.

*I. ELLWOOD – BEAZER HOMES*

- Ellwood Offsite Force main and Water Line- Awaiting closeout documents.
- BCMUD 57 Lift Station No. 3 – 85% complete. Awaiting power
- Ellwood Water Supply and Storage Closet- 65% complete.
- Ellwood Section 1B- Awaiting closeout documents
- Ellwood Detention and Mass Grading Phase II – 50%complete.
- Ellwood Karsten Boulevard Bridge – 25% complete.
- Ellwood Section 2 – Utilities 10% complete.

*J. OTHER CONSTRUCTION PROJECTS*

- Prose Sierra Vista – Awaiting punchlist.
- Climate Controlled Self Storage @ Meridiana – Civil 90% complete – currently under

City of Iowa Colony  
 Financial Statement  
 As of January 31, 2026

2/10/2026

Item 10.

<b>10 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Sales Tax	78,642.24	100,393.16	(21,750.92)	153,044.77	1,205,200.00	12.70%	1,052,155.23
Property Tax	532,443.42	269,035.27	263,408.15	5,549,103.61	5,857,213.00	94.74%	308,109.39
Miscellaneous	8,082.31	57,283.95	(49,201.64)	53,090.54	687,500.00	7.72%	634,409.46
License & Permits	195,593.49	382,180.42	(186,586.93)	1,258,768.28	4,603,000.00	27.35%	3,344,231.72
Business & Franchise	55,331.56	37,485.00	17,846.56	203,696.67	450,000.00	45.27%	246,303.33
Fines & Forfeitures	31,528.60	38,792.83	(7,264.23)	142,691.09	465,700.00	30.64%	323,008.91
Grant Income	0.00	25,000.00	(25,000.00)	1,709.82	300,000.00	0.57%	298,290.18
Revenue Totals	<u>901,621.62</u>	<u>910,170.63</u>	<u>(8,549.01)</u>	<u>7,362,104.78</u>	<u>13,568,613.00</u>	<u>54.26%</u>	<u>6,206,508.22</u>
<b>Expense Summary</b>							
Personnel Services	437,506.78	413,301.55	24,205.23	1,254,955.25	4,970,100.00	25.25%	3,715,144.75
Professional/Contract Services	191,742.64	213,473.77	(21,731.13)	803,397.70	2,646,500.00	30.36%	1,843,102.30
Materials & Supplies	52,222.01	66,130.87	(13,908.86)	241,345.78	835,500.00	28.89%	594,154.22
Services	23,109.78	367,131.31	(344,021.53)	72,102.85	4,398,880.86	1.64%	4,326,778.01
Capital Outlay	0.00	60,678.61	(60,678.61)	36,720.00	717,631.69	5.12%	680,911.69
Expense Totals	<u>704,581.21</u>	<u>1,120,716.11</u>	<u>(416,134.90)</u>	<u>2,408,521.58</u>	<u>13,568,612.55</u>	<u>17.75%</u>	<u>11,160,090.97</u>

City of Iowa Colony  
 Financial Statement  
 As of January 31, 2026

2/10/2026

Item 10.

<b>10 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Sales Tax</b>							
10-4109 Mixed Beverage Tax	421.21	433.16	(11.95)	944.26	5,200.00	18.16%	4,255.74
10-4110 City Sales Tax	78,221.03	99,960.00	(21,738.97)	152,100.51	1,200,000.00	12.68%	1,047,899.49
Sales Tax Totals	<u>78,642.24</u>	<u>100,393.16</u>	<u>(21,750.92)</u>	<u>153,044.77</u>	<u>1,205,200.00</u>	<u>12.70%</u>	<u>1,052,155.23</u>
<b>Property Tax</b>							
10-4120 Property Tax	(2,704,722.69)	152,383.35	(2,857,106.04)	2,221,466.40	1,829,332.00	121.44%	(392,134.40)
10-4121 Delinquent Property Tax	106.40	41.67	64.73	(6,002.71)	500.00	(1200.54% )	6,502.71
10-4135 Property Tax MUD 31 - 70%	0.00	115,610.65	(115,610.65)	0.00	1,387,883.00	0.00%	1,387,883.00
10-4139 Admin Fee Revenue	0.00	999.60	(999.60)	0.00	12,000.00	0.00%	12,000.00
10-4143 Property Tax MUD 55 (100%)	3,237,059.71	0.00	3,237,059.71	3,333,639.92	2,569,441.00	129.74%	(764,198.92)
10-4144 Property Tax MUD 92	0.00	0.00	0.00	0.00	58,057.00	0.00%	58,057.00
Property Tax Totals	<u>532,443.42</u>	<u>269,035.27</u>	<u>263,408.15</u>	<u>5,549,103.61</u>	<u>5,857,213.00</u>	<u>94.74%</u>	<u>308,109.39</u>
<b>Miscellaneous</b>							
10-4124 Accident Reports	85.00	41.65	43.35	160.00	500.00	32.00%	340.00
10-4134 Intermodel Ship Container	0.00	499.80	(499.80)	2,766.00	6,000.00	46.10%	3,234.00
10-4140 Intergovernmental receipts from	0.00	4,000.00	(4,000.00)	4,000.00	48,000.00	8.33%	44,000.00
10-4141 Public Safety Debt Contribution	0.00	25,000.00	(25,000.00)	0.00	300,000.00	0.00%	300,000.00
10-4142 Land Acquisition Reimbursement	0.00	9,000.00	(9,000.00)	0.00	108,000.00	0.00%	108,000.00
10-4910 Interest Income	8,927.79	12,495.00	(3,567.21)	38,653.96	150,000.00	25.77%	111,346.04
10-4911 Other Revenue	(930.48)	1,249.50	(2,179.98)	2,810.58	15,000.00	18.74%	12,189.42
10-4912 Donations/Sponsorships	0.00	4,998.00	(4,998.00)	4,700.00	60,000.00	7.83%	55,300.00
Miscellaneous Totals	<u>8,082.31</u>	<u>57,283.95</u>	<u>(49,201.64)</u>	<u>53,090.54</u>	<u>687,500.00</u>	<u>7.72%</u>	<u>634,409.46</u>
<b>License &amp; Permits</b>							
10-4201 Building Construction Permits	131,400.54	199,920.00	(68,519.46)	454,253.48	2,400,000.00	18.93%	1,945,746.52

City of Iowa Colony  
 Financial Statement  
 As of January 31, 2026

2/10/2026

Item 10.

<b>10 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>License &amp; Permits</b>							
10-4202 Trade Fees	16,862.87	12,495.00	4,367.87	59,254.82	150,000.00	39.50%	90,745.18
10-4203 Reinspection Fees	11,725.00	14,994.00	(3,269.00)	44,475.00	180,000.00	24.71%	135,525.00
10-4204 Signs	50.00	416.50	(366.50)	750.00	5,000.00	15.00%	4,250.00
10-4205 Property Improvement Permits	0.00	416.50	(416.50)	0.00	5,000.00	0.00%	5,000.00
10-4206 Dirt Work Permits	1,400.00	416.50	983.50	10,400.00	5,000.00	208.00%	(5,400.00)
10-4207 Driveway Permits	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-4208 Encroachment Permit	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-4210 Culvert Permit	150.00	83.30	66.70	1,150.00	1,000.00	115.00%	(150.00)
10-4211 Commercial Vehicle Permit	500.00	124.95	375.05	2,500.00	1,500.00	166.67%	(1,000.00)
10-4212 Park Use Permit	450.00	208.25	241.75	500.00	2,500.00	20.00%	2,000.00
10-4213 Mobile Food Unit Permit	0.00	458.15	(458.15)	750.00	5,500.00	13.64%	4,750.00
10-4214 Solicitation Fees	0.00	41.67	(41.67)	0.00	500.00	0.00%	500.00
10-4301 Preliminary Plat Fees	18,680.00	6,664.00	12,016.00	20,530.00	80,000.00	25.66%	59,470.00
10-4302 Final Plat Fees	0.00	6,664.00	(6,664.00)	20,710.00	80,000.00	25.89%	59,290.00
10-4303 Abbreviated Plat Fees	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
10-4305 Admin Fee - Early Plat Recording	0.00	29,155.00	(29,155.00)	42,947.81	350,000.00	12.27%	307,052.19
10-4401 Infrastructure Plan Review Fee	5,513.14	29,155.00	(23,641.86)	138,379.97	350,000.00	39.54%	211,620.03
10-4403 Civil Site Plan Review Fee	7,611.94	79,135.00	(71,523.06)	459,917.20	950,000.00	48.41%	490,082.80
10-4501 Rezoning Fees	0.00	499.80	(499.80)	0.00	6,000.00	0.00%	6,000.00
10-4502 ROW Plan Review Fee	250.00	166.60	83.40	250.00	2,000.00	12.50%	1,750.00
10-4503 Specific Use Permit	1,000.00	249.90	750.10	2,000.00	3,000.00	66.67%	1,000.00
10-4809 Penalties and Other Fees	0.00	0.00	0.00	0.00	15,000.00	0.00%	15,000.00
<b>License &amp; Permits Totals</b>	<b>195,593.49</b>	<b>382,180.42</b>	<b>(186,586.93)</b>	<b>1,258,768.28</b>	<b>4,603,000.00</b>	<b>27.35%</b>	<b>3,344,231.72</b>

City of Iowa Colony  
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Item 10.

<b>10 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Business &amp; Franchise</b>							
10-4601 Franchise Tax - Electric	22,424.92	20,825.00	1,599.92	112,124.60	250,000.00	44.85%	137,875.40
10-4602 Franchise Tax - Gas	0.00	5,414.50	(5,414.50)	16,504.97	65,000.00	25.39%	48,495.03
10-4603 Telecommunication Fee - Sales	0.00	2,915.50	(2,915.50)	31.88	35,000.00	0.09%	34,968.12
10-4604 Franchise Fees - Water/Wastewtr	32,906.64	8,330.00	24,576.64	75,035.22	100,000.00	75.04%	24,964.78
Business & Franchise Totals	<u>55,331.56</u>	<u>37,485.00</u>	<u>17,846.56</u>	<u>203,696.67</u>	<u>450,000.00</u>	<u>45.27%</u>	<u>246,303.33</u>
<b>Fines &amp; Forfeitures</b>							
10-4701 Citations/Warrants	8,764.69	10,412.50	(1,647.81)	34,574.81	125,000.00	27.66%	90,425.19
10-4703 Municipal Jury Funds	18.77	8.33	10.44	80.22	100.00	80.22%	19.78
10-4704 Local Truancy Prevention	15.00	8.33	6.67	20.00	100.00	20.00%	80.00
10-4705 Time Payment Reimbursement	75.00	41.67	33.33	240.00	500.00	48.00%	260.00
10-4709 Court Costs	22,655.14	28,322.00	(5,666.86)	107,776.06	340,000.00	31.70%	232,223.94
Fines & Forfeitures Totals	<u>31,528.60</u>	<u>38,792.83</u>	<u>(7,264.23)</u>	<u>142,691.09</u>	<u>465,700.00</u>	<u>30.64%</u>	<u>323,008.91</u>
<b>Grant Income</b>							
10-4803 State & Federal Grants	0.00	25,000.00	(25,000.00)	1,709.82	300,000.00	0.57%	298,290.18
Grant Income Totals	<u>0.00</u>	<u>25,000.00</u>	<u>(25,000.00)</u>	<u>1,709.82</u>	<u>300,000.00</u>	<u>0.57%</u>	<u>298,290.18</u>
Revenue Totals	<u><u>901,621.62</u></u>	<u><u>910,170.63</u></u>	<u><u>(8,549.01)</u></u>	<u><u>7,362,104.78</u></u>	<u><u>13,568,613.00</u></u>	<u><u>54.26%</u></u>	<u><u>6,206,508.22</u></u>

<b>10 - General Fund Administration</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	0.00	541.67	(541.67)	0.00	6,500.00	0.00%	6,500.00
Materials & Supplies	10,962.40	22,728.15	(11,765.75)	41,325.11	264,500.00	15.62%	223,174.89
Personnel Services	83,778.43	85,662.77	(1,884.34)	229,546.49	1,031,700.00	22.25%	802,153.51
Professional/Contract Services	52,138.47	41,579.48	10,558.99	158,081.29	507,500.00	31.15%	349,418.71
Services	14,469.04	13,452.95	1,016.09	48,153.76	161,500.00	29.82%	113,346.24
<b>Administration Totals</b>	<b>161,348.34</b>	<b>163,965.02</b>	<b>(2,616.68)</b>	<b>477,106.65</b>	<b>1,971,700.00</b>	<b>24.20%</b>	<b>1,494,593.35</b>

<b>10 - General Fund Finance</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	59.54	2,707.25	(2,647.71)	7,797.90	32,500.00	23.99%	24,702.10
Personnel Services	22,338.36	33,278.35	(10,939.99)	65,692.30	407,500.00	16.12%	341,807.70
Professional/Contract Services	700.00	1,291.15	(591.15)	2,207.16	90,500.00	2.44%	88,292.84
<b>Finance Totals</b>	<b>23,097.90</b>	<b>37,276.75</b>	<b>(14,178.85)</b>	<b>75,697.36</b>	<b>530,500.00</b>	<b>14.27%</b>	<b>454,802.64</b>

<b>10 - General Fund Police</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	32,971.66	16,886.70	16,084.96	134,055.99	202,700.00	66.14%	68,644.01
Personnel Services	248,527.61	188,049.75	60,477.86	712,074.19	2,257,500.00	31.54%	1,545,425.81
Professional/Contract Services	315.00	1,166.20	(851.20)	1,222.12	14,000.00	8.73%	12,777.88
Services	7,036.09	11,245.50	(4,209.41)	18,056.14	135,000.00	13.37%	116,943.86
<b>Police Totals</b>	<b>288,850.36</b>	<b>217,348.15</b>	<b>71,502.21</b>	<b>865,408.44</b>	<b>2,609,200.00</b>	<b>33.17%</b>	<b>1,743,791.56</b>

<b>10 - General Fund Animal Control</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
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Materials & Supplies	1,226.34	849.70	376.64	1,567.78	10,200.00	15.37%	8,632.22
Personnel Services	6,829.30	12,115.04	(5,285.74)	27,573.53	142,100.00	19.40%	114,526.47
Professional/Contract Services	812.50	1,082.90	(270.40)	3,920.00	13,000.00	30.15%	9,080.00
Services	271.28	2,832.20	(2,560.92)	3,423.85	34,000.00	10.07%	30,576.15
<b>Animal Control Totals</b>	<u>9,139.42</u>	<u>16,879.84</u>	<u>(7,740.42)</u>	<u>36,485.16</u>	<u>199,300.00</u>	<u>18.31%</u>	<u>162,814.84</u>

<b>10 - General Fund Emergency Management</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	0.00	999.67	(999.67)	5,552.62	62,000.00	8.96%	56,447.38
Professional/Contract Services	0.00	1,541.55	(1,541.55)	150.00	19,000.00	0.79%	18,850.00
<b>Emergency Management Totals</b>	<u>0.00</u>	<u>2,541.22</u>	<u>(2,541.22)</u>	<u>5,702.62</u>	<u>81,000.00</u>	<u>7.04%</u>	<u>75,297.38</u>

<b>10 - General Fund Municipal Court</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	105.27	1,583.03	(1,477.76)	1,659.58	19,000.00	8.73%	17,340.42
Personnel Services	19,313.68	21,907.90	(2,594.22)	56,176.77	263,000.00	21.36%	206,823.23
Professional/Contract Services	4,611.05	8,663.20	(4,052.15)	21,239.45	104,000.00	20.42%	82,760.55
<b>Municipal Court Totals</b>	<u>24,030.00</u>	<u>32,154.13</u>	<u>(8,124.13)</u>	<u>79,075.80</u>	<u>386,000.00</u>	<u>20.49%</u>	<u>306,924.20</u>

<b>10 - General Fund Public Works</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	4,592.33	7,831.03	(3,238.70)	20,328.38	94,000.00	21.63%	73,671.62
Personnel Services	33,490.89	36,110.55	(2,619.66)	89,736.97	434,000.00	20.68%	344,263.03
Professional/Contract Services	906.19	29,906.27	(29,000.08)	3,447.19	359,000.00	0.96%	355,552.81
Services	613.06	3,165.40	(2,552.34)	1,142.30	38,000.00	3.01%	36,857.70
<b>Public Works Totals</b>	<u>39,602.47</u>	<u>77,013.25</u>	<u>(37,410.78)</u>	<u>114,654.84</u>	<u>925,000.00</u>	<u>12.40%</u>	<u>810,345.16</u>

<b>10 - General Fund Parks &amp; Recreation</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	0.00	8,330.36	(8,330.36)	10,662.37	100,000.00	10.66%	89,337.63
Professional/Contract Services	16,103.38	10,829.17	5,274.21	49,530.13	130,000.00	38.10%	80,469.87
<b>Parks &amp; Recreation Totals</b>	<u>16,103.38</u>	<u>19,159.53</u>	<u>(3,056.15)</u>	<u>60,192.50</u>	<u>230,000.00</u>	<u>26.17%</u>	<u>169,807.50</u>

<b>10 - General Fund Community Development</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	80.49	2,832.20	(2,751.71)	15,204.32	34,000.00	44.72%	18,795.68
Personnel Services	13,793.13	22,157.80	(8,364.67)	33,235.75	266,000.00	12.49%	232,764.25
Professional/Contract Services	83,041.05	83,469.10	(428.05)	464,583.49	1,002,000.00	46.37%	537,416.51
Services	0.00	335,185.76	(335,185.76)	0.00	4,015,380.86	0.00%	4,015,380.86
<b>Community Development Totals</b>	<u>96,914.67</u>	<u>443,644.86</u>	<u>(346,730.19)</u>	<u>513,023.56</u>	<u>5,317,380.86</u>	<u>9.65%</u>	<u>4,804,357.30</u>

<b>10 - General Fund Fire Marshal/Building Official</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	2,223.98	1,382.78	841.20	3,191.73	16,600.00	19.23%	13,408.27
Personnel Services	9,435.38	14,019.39	(4,584.01)	40,919.25	168,300.00	24.31%	127,380.75
Professional/Contract Services	33,115.00	33,944.75	(829.75)	99,016.87	407,500.00	24.30%	308,483.13
Services	720.31	1,249.50	(529.19)	1,326.80	15,000.00	8.85%	13,673.20
<b>Fire Marshal/Building Official Totals</b>	<u>45,494.67</u>	<u>50,596.42</u>	<u>(5,101.75)</u>	<u>144,454.65</u>	<u>607,400.00</u>	<u>23.78%</u>	<u>462,945.35</u>

<b>10 - General Fund Capital and Planning Projects</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	0.00	60,136.94	(60,136.94)	36,720.00	711,131.69	5.16%	674,411.69

<b>Capital and Planning Projects Totals</b>	0.00	60,136.94	(60,136.94)	36,720.00	711,131.69	5.16%	674,411.69
<b>Expense Total</b>	704,581.21	1,120,716.11	(416,134.90)	2,408,521.58	13,568,612.55	17.75%	11,160,090.97

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<b>10 - General Fund Administration</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-10-5101 Salaries - Full Time	65,244.68	63,142.33	2,102.35	177,712.91	751,000.00	23.66%	573,287.09
10-10-5104 Salaries - Overtime	0.00	666.67	(666.67)	0.00	8,000.00	0.00%	8,000.00
10-10-5106 Social Security/Medicare	4,967.72	4,803.59	164.13	11,573.91	58,000.00	19.96%	46,426.09
10-10-5107 TMRS	7,209.94	7,497.00	(287.06)	21,118.52	90,000.00	23.47%	68,881.48
10-10-5108 Health & Life Insurance	4,226.95	8,330.00	(4,103.05)	15,414.40	100,000.00	15.41%	84,585.60
10-10-5109 Worker's Comp	175.30	499.80	(324.50)	350.69	6,000.00	5.84%	5,649.31
10-10-5110 Texas Workforce Commission	0.00	166.60	(166.60)	14.54	2,000.00	0.73%	1,985.46
10-10-5111 Vehicle Allowance	992.30	1,249.50	(257.20)	1,739.98	15,000.00	11.60%	13,260.02
10-10-5112 457(b) Reimbursement	961.54	(834.33)	1,795.87	961.54	0.00	0.00%	(961.54)
10-10-5114 Benefits Admin Fees	0.00	83.30	(83.30)	0.00	1,000.00	0.00%	1,000.00
10-10-5115 Longevity Pay	0.00	58.31	(58.31)	660.00	700.00	94.29%	40.00
10-10-5201 Legal Services	7,816.78	3,332.00	4,484.78	12,495.28	40,000.00	31.24%	27,504.72
10-10-5202 Audit Services	16,935.00	5,831.00	11,104.00	17,680.00	70,000.00	25.26%	52,320.00
10-10-5206 Professional Services	9,546.85	13,744.50	(4,197.65)	44,012.60	165,000.00	26.67%	120,987.40
10-10-5210 Election Expenses	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
10-10-5211 Bank Fees	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-10-5212 Credit Card Processing Fees	0.00	41.65	(41.65)	25.00	500.00	5.00%	475.00
10-10-5213 Legal Notices Expense	0.00	416.50	(416.50)	1,343.76	5,000.00	26.88%	3,656.24
10-10-5215 BCAD Fee	0.00	3,332.00	(3,332.00)	26,895.50	40,000.00	67.24%	13,104.50
10-10-5217 Professional Cleaning Services	2,750.00	2,915.50	(165.50)	10,945.00	35,000.00	31.27%	24,055.00
10-10-5221 Website Administration	0.00	2,249.10	(2,249.10)	0.00	27,000.00	0.00%	27,000.00
10-10-5223 Training & Travel	0.00	3,469.73	(3,469.73)	17,709.48	50,000.00	35.42%	32,290.52
10-10-5224 Dues & Subscriptions	11,641.00	2,499.00	9,142.00	19,562.91	30,000.00	65.21%	10,437.09
10-10-5225 Seminars & Meetings	3,448.84	2,499.00	949.84	7,411.76	30,000.00	24.71%	22,588.24
10-10-5227 Legislative Affairs	0.00	166.60	(166.60)	0.00	2,000.00	0.00%	2,000.00
10-10-5228 Tax Appraisal & Collection	0.00	208.25	(208.25)	0.00	2,500.00	0.00%	2,500.00

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<b>10 - General Fund Administration</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-10-5301 Office Supplies	358.37	1,249.50	(891.13)	770.10	15,000.00	5.13%	14,229.90
10-10-5302 Janitorial Supplies	129.72	249.90	(120.18)	215.16	3,000.00	7.17%	2,784.84
10-10-5309 Uniforms	0.00	208.25	(208.25)	558.15	2,500.00	22.33%	1,941.85
10-10-5310 Postage	339.00	166.60	172.40	(5.76)	2,000.00	(0.29%)	2,005.76
10-10-5311 Building Repairs &	7,805.79	3,748.50	4,057.29	14,373.27	45,000.00	31.94%	30,626.73
10-10-5312 Recognition,	0.00	499.80	(499.80)	0.00	6,000.00	0.00%	6,000.00
10-10-5314 Computer & Technology	0.00	4,581.50	(4,581.50)	0.00	55,000.00	0.00%	55,000.00
10-10-5315 Computer Software/License	1,816.04	7,497.00	(5,680.96)	23,359.48	90,000.00	25.95%	66,640.52
10-10-5317 Equipment & Other Rentals	513.48	833.00	(319.52)	2,054.71	10,000.00	20.55%	7,945.29
10-10-5330 Miscellaneous	0.00	3,610.77	(3,610.77)	0.00	35,000.00	0.00%	35,000.00
10-10-5331 Signs & Postings	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
10-10-5401 Utilities - Electricity	271.61	4,165.00	(3,893.39)	10,889.83	50,000.00	21.78%	39,110.17
10-10-5403 Utilities - Telephone	0.00	1,832.60	(1,832.60)	5,366.64	22,000.00	24.39%	16,633.36
10-10-5404 Mobile Technology Expense	293.23	208.25	84.98	460.71	2,500.00	18.43%	2,039.29
10-10-5405 Insurance - Liability & Prop	13,458.75	4,581.50	8,877.25	26,917.50	55,000.00	48.94%	28,082.50
10-10-5406 Insurance - Windstorm	0.00	2,082.50	(2,082.50)	0.00	25,000.00	0.00%	25,000.00
10-10-5407 Insurance - Vehicles	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-10-5409 Utilities - Water/Sewer	445.45	416.50	28.95	985.23	5,000.00	19.70%	4,014.77
10-10-5412 Utilities - Gas	0.00	124.95	(124.95)	1,175.89	1,500.00	78.39%	324.11
10-10-5630 Furniture & Equipment	0.00	541.67	(541.67)	0.00	6,500.00	0.00%	6,500.00
10-10-5901 Unexpected Expenses	0.00	0.00	0.00	2,357.96	0.00	0.00%	(2,357.96)
<b>Administration Totals</b>	<b>161,348.34</b>	<b>163,965.02</b>	<b>(2,616.68)</b>	<b>477,106.65</b>	<b>1,971,700.00</b>	<b>24.20%</b>	<b>1,494,593.35</b>

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<b>10 - General Fund Finance</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-15-5101 Salaries - Full Time	16,824.00	23,324.00	(6,500.00)	47,044.64	280,000.00	16.80%	232,955.36
10-15-5104 Salaries - Overtime	0.00	0.00	0.00	417.56	8,000.00	5.22%	7,582.44
10-15-5106 Social Security/Medicare	1,272.11	1,832.60	(560.49)	3,890.30	22,000.00	17.68%	18,109.70
10-15-5107 TMRS	1,858.26	3,332.00	(1,473.74)	5,685.60	40,000.00	14.21%	34,314.40
10-15-5108 Health & Life Insurance	2,228.30	4,165.00	(1,936.70)	8,167.43	50,000.00	16.33%	41,832.57
10-15-5109 Worker's Comp	86.45	249.90	(163.45)	172.90	3,000.00	5.76%	2,827.10
10-15-5110 Texas Workforce Commission	0.00	83.30	(83.30)	0.00	1,000.00	0.00%	1,000.00
10-15-5114 Benefits Admin Fees	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-15-5115 Longevity Pay	0.00	0.00	0.00	120.00	0.00	0.00%	(120.00)
10-15-5117 Certificate/Education Pay	69.24	249.90	(180.66)	193.87	3,000.00	6.46%	2,806.13
10-15-5206 Professional Services	0.00	0.00	0.00	0.00	75,000.00	0.00%	75,000.00
10-15-5223 Training & Travel	700.00	1,249.50	(549.50)	2,207.16	15,000.00	14.71%	12,792.84
10-15-5224 Dues & Subscriptions	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-15-5301 Office Supplies	0.00	416.50	(416.50)	199.03	5,000.00	3.98%	4,800.97
10-15-5309 Uniforms	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-15-5310 Postage	0.00	41.65	(41.65)	237.09	500.00	47.42%	262.91
10-15-5314 Computer & Technology	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
10-15-5315 Computer Software/License	0.00	1,249.50	(1,249.50)	7,154.13	15,000.00	47.69%	7,845.87
10-15-5317 Equipment & Other Rentals	59.54	124.95	(65.41)	207.65	1,500.00	13.84%	1,292.35
<b>Finance Totals</b>	<b>23,097.90</b>	<b>37,276.75</b>	<b>(14,178.85)</b>	<b>75,697.36</b>	<b>530,500.00</b>	<b>14.27%</b>	<b>454,802.64</b>

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<b>10 - General Fund Police</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-20-5101 Salaries - Full Time	160,010.78	119,952.00	40,058.78	461,982.01	1,440,000.00	32.08%	978,017.99
10-20-5104 Salaries - Overtime	7,335.72	6,664.00	671.72	31,609.08	80,000.00	39.51%	48,390.92
10-20-5106 Social Security/Medicare	13,931.34	9,996.00	3,935.34	40,734.43	120,000.00	33.95%	79,265.57
10-20-5107 TMRS	20,404.00	14,994.00	5,410.00	61,072.45	180,000.00	33.93%	118,927.55
10-20-5108 Health & Life Insurance	22,525.66	24,990.00	(2,464.34)	77,958.27	300,000.00	25.99%	222,041.73
10-20-5109 Worker's Comp	20,986.50	6,997.20	13,989.30	27,630.32	84,000.00	32.89%	56,369.68
10-20-5110 Texas Workforce Commission	0.00	499.80	(499.80)	99.50	6,000.00	1.66%	5,900.50
10-20-5114 Benefits Admin Fees	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-20-5115 Longevity Pay	0.00	166.60	(166.60)	1,680.00	2,000.00	84.00%	320.00
10-20-5117 Certificate Pay	3,333.61	3,748.50	(414.89)	9,308.13	45,000.00	20.68%	35,691.87
10-20-5206 Professional Services	0.00	833.00	(833.00)	97.12	10,000.00	0.97%	9,902.88
10-20-5223 Training & Travel	0.00	0.00	0.00	165.00	0.00	0.00%	(165.00)
10-20-5224 Dues & Subscriptions	175.00	83.30	91.70	245.00	1,000.00	24.50%	755.00
10-20-5231 Recruiting & Hiring Expense	140.00	249.90	(109.90)	715.00	3,000.00	23.83%	2,285.00
10-20-5301 Office Supplies	819.00	250.00	569.00	2,695.32	3,000.00	89.84%	304.68
10-20-5309 Uniforms	1,736.89	666.40	1,070.49	2,587.69	8,000.00	32.35%	5,412.31
10-20-5310 Postage	0.00	16.66	(16.66)	86.41	200.00	43.21%	113.59
10-20-5313 Fuel Expense	8,075.73	4,165.00	3,910.73	15,446.75	50,000.00	30.89%	34,553.25
10-20-5314 Computer & Technology	1,613.42	4,166.67	(2,553.25)	19,034.65	50,000.00	38.07%	30,965.35
10-20-5315 Computer Software/License	0.00	41.67	(41.67)	0.00	500.00	0.00%	500.00
10-20-5317 Equipment & Other Rentals	16,759.41	2,082.50	14,676.91	21,371.44	25,000.00	85.49%	3,628.56
10-20-5319 Vehicle Repairs & Maintenance	2,906.63	2,082.50	824.13	7,505.35	25,000.00	30.02%	17,494.65
10-20-5328 Small Tools & Minor	493.80	3,332.00	(2,838.20)	64,444.23	40,000.00	161.11%	(24,444.23)
10-20-5330 Miscellaneous	566.78	83.30	483.48	884.15	1,000.00	88.42%	115.85
10-20-5404 Mobile Technology Expense	1,139.84	666.40	473.44	1,709.64	8,000.00	21.37%	6,290.36
10-20-5405 Insurance - Liability & Prop	2,604.75	999.60	1,605.15	5,391.50	12,000.00	44.93%	6,608.50

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Item 10.

<b>10 - General Fund Police</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-20-5407 Insurance - Vehicles	3,291.50	1,249.50	2,042.00	10,955.00	15,000.00	73.03%	4,045.00
10-20-5410 Vehicle Replacement Fund	0.00	8,330.00	(8,330.00)	0.00	100,000.00	0.00%	100,000.00
<b>Police Totals</b>	<u>288,850.36</u>	<u>217,348.15</u>	<u>71,502.21</u>	<u>865,408.44</u>	<u>2,609,200.00</u>	<u>33.17%</u>	<u>1,743,791.56</u>

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Item 10.

<b>10 - General Fund Animal Control</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-21-5101 Salaries - Full Time	4,542.72	7,497.00	(2,954.28)	20,060.14	90,000.00	22.29%	69,939.86
10-21-5104 Salaries - Overtime	182.52	416.50	(233.98)	395.46	5,000.00	7.91%	4,604.54
10-21-5106 Social Security/Medicare	361.48	833.00	(471.52)	1,716.86	10,000.00	17.17%	8,283.14
10-21-5107 TMRS	519.78	1,944.11	(1,424.33)	2,468.71	20,000.00	12.34%	17,531.29
10-21-5108 Health & Life Insurance	156.68	833.00	(676.32)	992.67	10,000.00	9.93%	9,007.33
10-21-5109 Worker's Comp	1,066.12	499.80	566.32	1,879.69	6,000.00	31.33%	4,120.31
10-21-5110 Texas Workforce Commission	0.00	83.30	(83.30)	0.00	1,000.00	0.00%	1,000.00
10-21-5114 Benefits Admin Fees	0.00	8.33	(8.33)	0.00	100.00	0.00%	100.00
10-21-5115 Longevity Pay	0.00	0.00	0.00	60.00	0.00	0.00%	(60.00)
10-21-5223 Training & Travel	0.00	208.25	(208.25)	0.00	2,500.00	0.00%	2,500.00
10-21-5224 Dues & Subscriptions	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-21-5229 Contractual Services	812.50	833.00	(20.50)	3,920.00	10,000.00	39.20%	6,080.00
10-21-5301 Office Supplies	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-21-5309 Uniforms	0.00	208.25	(208.25)	0.00	2,500.00	0.00%	2,500.00
10-21-5310 Postage	0.00	16.67	(16.67)	53.89	200.00	26.95%	146.11
10-21-5313 Fuel Expense	316.38	333.20	(16.82)	603.93	4,000.00	15.10%	3,396.07
10-21-5319 Vehicle Repairs & Maintenance	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
10-21-5328 Small Tools & Minor	909.96	166.60	743.36	909.96	2,000.00	45.50%	1,090.04
10-21-5404 Mobile Technology Expense	83.78	1,082.90	(999.12)	3,048.85	13,000.00	23.45%	9,951.15
10-21-5407 Insurance - Vehicles	187.50	83.30	104.20	375.00	1,000.00	37.50%	625.00
10-21-5410 Vehicle Replacement Fund	0.00	1,666.00	(1,666.00)	0.00	20,000.00	0.00%	20,000.00
<b>Animal Control Totals</b>	<b>9,139.42</b>	<b>16,879.84</b>	<b>(7,740.42)</b>	<b>36,485.16</b>	<b>199,300.00</b>	<b>18.31%</b>	<b>162,814.84</b>

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Item 10.

<b>10 - General Fund Emergency Management</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-22-5206 Professional Services	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
10-22-5214 Advertising/Printing Expense	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-22-5223 Training & Travel	0.00	249.90	(249.90)	0.00	3,000.00	0.00%	3,000.00
10-22-5224 Dues & Subscriptions	0.00	0.00	0.00	150.00	500.00	30.00%	350.00
10-22-5229 Contractual Services	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
10-22-5301 Office Supplies	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
10-22-5315 Computer Software/License	0.00	833.00	(833.00)	5,552.62	10,000.00	55.53%	4,447.38
10-22-5352 Emergency Preparedness	0.00	0.00	0.00	0.00	50,000.00	0.00%	50,000.00
<b>Emergency Management Totals</b>	<b>0.00</b>	<b>2,541.22</b>	<b>(2,541.22)</b>	<b>5,702.62</b>	<b>81,000.00</b>	<b>7.04%</b>	<b>75,297.38</b>

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<b>10 - General Fund Municipal Court</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-25-5101 Salaries - Full Time	14,922.73	14,161.00	761.73	41,427.37	170,000.00	24.37%	128,572.63
10-25-5104 Salaries - Overtime	99.42	416.50	(317.08)	182.27	5,000.00	3.65%	4,817.73
10-25-5106 Social Security/Medicare	1,124.23	1,666.00	(541.77)	3,383.63	20,000.00	16.92%	16,616.37
10-25-5107 TMRS	1,639.46	1,666.00	(26.54)	4,950.90	20,000.00	24.75%	15,049.10
10-25-5108 Health & Life Insurance	1,178.32	3,332.00	(2,153.68)	4,869.55	40,000.00	12.17%	35,130.45
10-25-5109 Worker's Comp	86.45	249.90	(163.45)	86.45	3,000.00	2.88%	2,913.55
10-25-5110 Texas Workforce Commission	0.00	83.30	(83.30)	0.00	1,000.00	0.00%	1,000.00
10-25-5114 Benefits Admin Fees	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-25-5115 Longevity Pay	0.00	41.65	(41.65)	540.00	500.00	108.00%	(40.00)
10-25-5117 Certificate Pay	263.07	249.90	13.17	736.60	3,000.00	24.55%	2,263.40
10-25-5203 Attorney/Prosecutor Fees	0.00	4,165.00	(4,165.00)	10,712.50	50,000.00	21.43%	39,287.50
10-25-5209 Judge Fees	3,212.50	4,165.00	(952.50)	9,068.75	50,000.00	18.14%	40,931.25
10-25-5220 Interpreter Services	25.92	124.95	(99.03)	85.57	1,500.00	5.70%	1,414.43
10-25-5223 Training & Travel	1,372.63	208.25	1,164.38	1,372.63	2,500.00	54.91%	1,127.37
10-25-5301 Office Supplies	0.00	249.90	(249.90)	516.59	3,000.00	17.22%	2,483.41
10-25-5308 Jury Trial Expense	0.00	166.60	(166.60)	55.50	2,000.00	2.78%	1,944.50
10-25-5309 Uniforms	0.00	83.30	(83.30)	213.78	1,000.00	21.38%	786.22
10-25-5310 Postage	33.40	166.60	(133.20)	582.84	2,000.00	29.14%	1,417.16
10-25-5314 Computer & Technology	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
10-25-5317 Equipment & Other Rentals	71.87	83.30	(11.43)	290.87	1,000.00	29.09%	709.13
<b>Municipal Court Totals</b>	<b>24,030.00</b>	<b>32,154.13</b>	<b>(8,124.13)</b>	<b>79,075.80</b>	<b>386,000.00</b>	<b>20.49%</b>	<b>306,924.20</b>

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Item 10.

<b>10 - General Fund Public Works</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-30-5101 Salaries - Full Time	18,964.36	21,658.00	(2,693.64)	52,719.74	260,000.00	20.28%	207,280.26
10-30-5104 Salaries - Overtime	2,921.32	833.00	2,088.32	7,078.91	10,000.00	70.79%	2,921.09
10-30-5106 Social Security/Medicare	1,656.95	2,499.00	(842.05)	4,781.18	30,000.00	15.94%	25,218.82
10-30-5107 TMRS	2,415.04	3,332.00	(916.96)	6,997.40	40,000.00	17.49%	33,002.60
10-30-5108 Health & Life Insurance	3,269.28	5,831.00	(2,561.72)	12,510.50	70,000.00	17.87%	57,489.50
10-30-5109 Worker's Comp	4,194.73	1,749.30	2,445.43	5,095.45	21,000.00	24.26%	15,904.55
10-30-5110 Texas Workforce Commission	0.00	166.60	(166.60)	0.00	2,000.00	0.00%	2,000.00
10-30-5115 Longevity Pay	0.00	41.65	(41.65)	360.00	500.00	72.00%	140.00
10-30-5117 Certificate Pay	69.21	0.00	69.21	193.79	500.00	38.76%	306.21
10-30-5217 Professional Cleaning Services	825.00	999.60	(174.60)	2,310.00	12,000.00	19.25%	9,690.00
10-30-5219 Roads, Bridges & Drainage	0.00	24,990.00	(24,990.00)	1,056.00	300,000.00	0.35%	298,944.00
10-30-5223 Training & Travel	81.19	166.67	(85.48)	81.19	2,000.00	4.06%	1,918.81
10-30-5229 Contractual Services	0.00	3,750.00	(3,750.00)	0.00	45,000.00	0.00%	45,000.00
10-30-5301 Office Supplies	0.00	249.90	(249.90)	95.50	3,000.00	3.18%	2,904.50
10-30-5309 Uniforms	0.00	416.50	(416.50)	36.00	5,000.00	0.72%	4,964.00
10-30-5311 Building Repairs &	0.00	833.00	(833.00)	633.39	10,000.00	6.33%	9,366.61
10-30-5313 Fuel Expense	960.71	1,249.50	(288.79)	1,620.57	15,000.00	10.80%	13,379.43
10-30-5317 Equipment & Other Rentals	15.00	416.50	(401.50)	68.90	5,000.00	1.38%	4,931.10
10-30-5319 Vehicle Repairs & Maintenance	1,041.62	416.50	625.12	5,271.31	5,000.00	105.43%	(271.31)
10-30-5321 Public Works Maintenance	1,675.00	2,083.33	(408.33)	8,015.00	25,000.00	32.06%	16,985.00
10-30-5328 Small Tools & Minor	900.00	499.80	400.20	4,587.71	6,000.00	76.46%	1,412.29
10-30-5331 Signs & Postings	0.00	1,666.00	(1,666.00)	0.00	20,000.00	0.00%	20,000.00
10-30-5401 Utilities - Electricity	0.00	416.50	(416.50)	0.00	5,000.00	0.00%	5,000.00
10-30-5404 Mobile Technology Expense	167.56	83.30	84.26	251.30	1,000.00	25.13%	748.70
10-30-5407 Insurance - Vehicles	445.50	166.60	278.90	891.00	2,000.00	44.55%	1,109.00
10-30-5410 Vehicle Replacement Fund	0.00	2,499.00	(2,499.00)	0.00	30,000.00	0.00%	30,000.00

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<b>10 - General Fund Public Works</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Public Works Totals	39,602.47	77,013.25	(37,410.78)	114,654.84	925,000.00	12.40%	810,345.16

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<b>10 - General Fund Parks &amp; Recreation</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-32-5217 Professional Cleaning Services	495.00	416.67	78.33	2,090.00	5,000.00	41.80%	2,910.00
10-32-5229 Contractual Services	15,608.38	10,412.50	5,195.88	47,440.13	125,000.00	37.95%	77,559.87
10-32-5301 Office Supplies	0.00	166.60	(166.60)	62.37	2,000.00	3.12%	1,937.63
10-32-5309 Uniforms	0.00	124.95	(124.95)	0.00	1,500.00	0.00%	1,500.00
10-32-5317 Equipment & Other Rentals	0.00	166.60	(166.60)	0.00	2,000.00	0.00%	2,000.00
10-32-5323 Park Improvements	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
10-32-5324 Park Maintenance	0.00	6,955.55	(6,955.55)	10,600.00	83,500.00	12.69%	72,900.00
10-32-5331 Signs & Postings	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
<b>Parks &amp; Recreation Totals</b>	<b>16,103.38</b>	<b>19,159.53</b>	<b>(3,056.15)</b>	<b>60,192.50</b>	<b>230,000.00</b>	<b>26.17%</b>	<b>169,807.50</b>

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<b>10 - General Fund Community Development</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-35-5101 Salaries - Full Time	11,162.40	14,994.00	(3,831.60)	24,144.96	180,000.00	13.41%	155,855.04
10-35-5104 Salaries - Overtime	0.00	916.30	(916.30)	98.70	11,000.00	0.90%	10,901.30
10-35-5106 Social Security/Medicare	846.39	1,666.00	(819.61)	1,953.99	20,000.00	9.77%	18,046.01
10-35-5107 TMRS	1,227.87	2,499.00	(1,271.13)	2,848.92	30,000.00	9.50%	27,151.08
10-35-5108 Health & Life Insurance	1,289.02	1,666.00	(376.98)	4,415.28	20,000.00	22.08%	15,584.72
10-35-5109 Worker's Comp	(732.55)	249.90	(982.45)	(646.10)	3,000.00	(21.54%)	3,646.10
10-35-5110 Texas Workforce Commission	0.00	83.30	(83.30)	0.00	1,000.00	0.00%	1,000.00
10-35-5114 Benefits Admin Fees	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-35-5115 Longevity Pay	0.00	41.65	(41.65)	420.00	500.00	84.00%	80.00
10-35-5206 Professional Services	0.00	2,082.50	(2,082.50)	120.00	25,000.00	0.48%	24,880.00
10-35-5208 Engineering Services	2,956.30	6,250.00	(3,293.70)	16,173.60	75,000.00	21.56%	58,826.40
10-35-5223 Training & Travel	0.00	166.60	(166.60)	240.00	2,000.00	12.00%	1,760.00
10-35-5232 Early Plat - Admin Fee	34,358.25	20,825.00	13,533.25	34,358.25	250,000.00	13.74%	215,641.75
10-35-5233 Eng Svc: Permits/Inspections	30,632.75	29,155.00	1,477.75	299,129.65	350,000.00	85.47%	50,870.35
10-35-5234 Eng Svc: Plan Review	0.00	12,495.00	(12,495.00)	0.00	150,000.00	0.00%	150,000.00
10-35-5235 Eng Svc: Platting	15,093.75	12,495.00	2,598.75	114,561.99	150,000.00	76.37%	35,438.01
10-35-5301 Office Supplies	20.99	166.60	(145.61)	154.59	2,000.00	7.73%	1,845.41
10-35-5309 Uniforms	0.00	83.30	(83.30)	0.00	1,000.00	0.00%	1,000.00
10-35-5315 Computer Software/License	0.00	2,499.00	(2,499.00)	14,850.00	30,000.00	49.50%	15,150.00
10-35-5317 Equipment & Other Rentals	59.50	83.30	(23.80)	199.73	1,000.00	19.97%	800.27
10-35-5411 TIF Fund/MUD 31 Payable	0.00	335,185.76	(335,185.76)	0.00	4,015,380.86	0.00%	4,015,380.86
<b>Community Development Totals</b>	<b>96,914.67</b>	<b>443,644.86</b>	<b>(346,730.19)</b>	<b>513,023.56</b>	<b>5,317,380.86</b>	<b>9.65%</b>	<b>4,804,357.30</b>

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<b>10 - General Fund Fire Marshal/Building Official</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-36-5101 Salaries - Full Time	12,585.60	9,163.00	3,422.60	35,215.20	110,000.00	32.01%	74,784.80
10-36-5106 Social Security/Medicare	946.31	833.00	113.31	2,847.23	10,000.00	28.47%	7,152.77
10-36-5107 TMRS	1,384.41	1,666.00	(281.59)	4,172.90	20,000.00	20.86%	15,827.10
10-36-5108 Health & Life Insurance	1,133.99	1,666.00	(532.01)	4,181.18	20,000.00	20.91%	15,818.82
10-36-5109 Worker's Comp	(6,614.93)	583.10	(7,198.03)	(5,737.26)	7,000.00	(81.96%)	12,737.26
10-36-5110 Texas Workforce Commission	0.00	83.30	(83.30)	0.00	1,000.00	0.00%	1,000.00
10-36-5114 Benefits Admin Fees	0.00	8.33	(8.33)	0.00	100.00	0.00%	100.00
10-36-5115 Longevity Pay	0.00	16.66	(16.66)	240.00	200.00	120.00%	(40.00)
10-36-5207 Building Inspector	33,450.00	33,320.00	130.00	97,822.50	400,000.00	24.46%	302,177.50
10-36-5223 Training & Travel	(335.00)	416.50	(751.50)	960.06	5,000.00	19.20%	4,039.94
10-36-5224 Dues & Subscriptions	0.00	208.25	(208.25)	234.31	2,500.00	9.37%	2,265.69
10-36-5301 Office Supplies	63.98	83.30	(19.32)	63.98	1,000.00	6.40%	936.02
10-36-5303 Public Education & Training	228.44	249.90	(21.46)	228.44	3,000.00	7.61%	2,771.56
10-36-5307 Investigation Supplies	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
10-36-5309 Uniforms	359.34	166.60	192.74	577.34	2,000.00	28.87%	1,422.66
10-36-5310 Postage	0.00	8.33	(8.33)	0.00	100.00	0.00%	100.00
10-36-5313 Fuel Expense	471.81	291.55	180.26	771.56	3,500.00	22.04%	2,728.44
10-36-5319 Vehicle Repairs & Maintenance	190.45	291.55	(101.10)	640.45	3,500.00	18.30%	2,859.55
10-36-5328 Small Tools & Minor	909.96	249.90	660.06	909.96	3,000.00	30.33%	2,090.04
10-36-5404 Mobile Technology Expense	227.56	333.20	(105.64)	341.30	4,000.00	8.53%	3,658.70
10-36-5407 Insurance - Vehicles	492.75	83.30	409.45	985.50	1,000.00	98.55%	14.50
10-36-5410 Vehicle Replacement Fund	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
<b>Fire Marshal/Building Official Totals</b>	<b>45,494.67</b>	<b>50,596.42</b>	<b>(5,101.75)</b>	<b>144,454.65</b>	<b>607,400.00</b>	<b>23.78%</b>	<b>462,945.35</b>

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<b>10 - General Fund Capital and Planning Projects</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-90-5610 Land Purchase and	0.00	20,833.33	(20,833.33)	36,720.00	250,000.00	14.69%	213,280.00
10-90-5660 Contingency/Reserves	0.00	39,303.61	(39,303.61)	0.00	461,131.69	0.00%	461,131.69
Capital and Planning Projects Totals	0.00	60,136.94	(60,136.94)	36,720.00	711,131.69	5.16%	674,411.69
Expense Totals	704,581.21	1,120,716.11	(416,134.90)	2,408,521.58	13,568,612.55	17.75%	11,160,090.97

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<b>12 - Project Fund Series 2022</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Miscellaneous	15,666.61	0.00	15,666.61	64,991.86	190,000.00	34.21%	125,008.14
Revenue Totals	<u>15,666.61</u>	<u>0.00</u>	<u>15,666.61</u>	<u>64,991.86</u>	<u>190,000.00</u>	<u>34.21%</u>	<u>125,008.14</u>
<b>Expense Summary</b>							
Services	0.00	0.00	0.00	0.00	6,200.00	0.00%	6,200.00
Expense Totals	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>6,200.00</u>	<u>0.00%</u>	<u>6,200.00</u>

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<b>12 - Project Fund Series 2022</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Miscellaneous</b>							
12-4938 Interest Income - Investments	15,666.61	0.00	15,666.61	64,991.86	190,000.00	34.21%	125,008.14
Miscellaneous Totals	15,666.61	0.00	15,666.61	64,991.86	190,000.00	34.21%	125,008.14
Revenue Totals	15,666.61	0.00	15,666.61	64,991.86	190,000.00	34.21%	125,008.14

<b>12 - Project Fund Series 2022 Administration</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Services	0.00	0.00	0.00	0.00	6,200.00	0.00%	6,200.00
<b>Administration Totals</b>	0.00	0.00	0.00	0.00	6,200.00	0.00%	6,200.00
<b>Expense Total</b>	0.00	0.00	0.00	0.00	6,200.00	0.00%	6,200.00

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<b>12 - Project Fund Series 2022 Administration</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
12-10-5401 Utilities - Electricity	0.00	0.00	0.00	0.00	6,000.00	0.00%	6,000.00
12-10-5409 Utilities - Water/Sewer	0.00	0.00	0.00	0.00	200.00	0.00%	200.00
Administration Totals	0.00	0.00	0.00	0.00	6,200.00	0.00%	6,200.00
Expense Totals	0.00	0.00	0.00	0.00	6,200.00	0.00%	6,200.00

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<b>20 - Crime Control and Prevention District Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Sales Tax	35,557.19	29,155.00	6,402.19	68,139.84	350,000.00	19.47%	281,860.16
Miscellaneous	1,497.60	2,082.50	(584.90)	6,229.75	25,000.00	24.92%	18,770.25
Revenue Totals	<u>37,054.79</u>	<u>31,237.50</u>	<u>5,817.29</u>	<u>74,369.59</u>	<u>375,000.00</u>	<u>19.83%</u>	<u>300,630.41</u>
<b>Expense Summary</b>							
Personnel Services	8,651.88	6,830.60	1,821.28	25,409.36	83,500.00	30.43%	58,090.64
Professional/Contract Services	738.00	4,123.35	(3,385.35)	9,406.13	49,500.00	19.00%	40,093.87
Materials & Supplies	57,764.63	22,032.88	35,731.75	94,459.28	264,500.00	35.71%	170,040.72
Capital Outlay	47,739.78	12,495.00	35,244.78	56,422.86	150,000.00	37.62%	93,577.14
Expense Totals	<u>114,894.29</u>	<u>45,481.83</u>	<u>69,412.46</u>	<u>185,697.63</u>	<u>547,500.00</u>	<u>33.92%</u>	<u>361,802.37</u>

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<b>20 - Crime Control and Prevention District Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Sales Tax</b>							
20-4112 CCPD - Sales Tax	35,557.19	29,155.00	6,402.19	68,139.84	350,000.00	19.47%	281,860.16
Sales Tax Totals	35,557.19	29,155.00	6,402.19	68,139.84	350,000.00	19.47%	281,860.16
<b>Miscellaneous</b>							
20-4910 Interest Income	1,497.60	2,082.50	(584.90)	6,229.75	25,000.00	24.92%	18,770.25
Miscellaneous Totals	1,497.60	2,082.50	(584.90)	6,229.75	25,000.00	24.92%	18,770.25
Revenue Totals	37,054.79	31,237.50	5,817.29	74,369.59	375,000.00	19.83%	300,630.41

<b>20 - Crime Control and Prevention Distr Police</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	47,739.78	12,495.00	35,244.78	56,422.86	150,000.00	37.62%	93,577.14
Materials & Supplies	57,764.63	22,032.88	35,731.75	94,459.28	264,500.00	35.71%	170,040.72
Personnel Services	8,651.88	6,830.60	1,821.28	25,409.36	83,500.00	30.43%	58,090.64
Professional/Contract Services	738.00	4,123.35	(3,385.35)	9,406.13	49,500.00	19.00%	40,093.87
<b>Police Totals</b>	<u>114,894.29</u>	<u>45,481.83</u>	<u>69,412.46</u>	<u>185,697.63</u>	<u>547,500.00</u>	<u>33.92%</u>	<u>361,802.37</u>
<b>Expense Total</b>	<u><u>114,894.29</u></u>	<u><u>45,481.83</u></u>	<u><u>69,412.46</u></u>	<u><u>185,697.63</u></u>	<u><u>547,500.00</u></u>	<u><u>33.92%</u></u>	<u><u>361,802.37</u></u>

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<b>20 - Crime Control and Prevention Dist Police</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
20-20-5101 Salaries - Full Time	6,860.16	4,165.00	2,695.16	18,579.27	50,000.00	37.16%	31,420.73
20-20-5104 Salaries - Overtime	0.00	0.00	0.00	359.96	0.00	0.00%	(359.96)
20-20-5106 Social Security/Medicare	540.68	833.00	(292.32)	2,141.47	10,000.00	21.41%	7,858.53
20-20-5107 TMRS	777.46	833.00	(55.54)	2,406.44	10,000.00	24.06%	7,593.56
20-20-5108 Health & Life Insurance	136.21	833.00	(696.79)	1,021.33	10,000.00	10.21%	8,978.67
20-20-5109 Worker's Comp	129.68	83.30	46.38	259.36	1,000.00	25.94%	740.64
20-20-5110 Texas Workforce Commission	0.00	83.30	(83.30)	0.00	1,000.00	0.00%	1,000.00
20-20-5115 Longevity Pay	0.00	0.00	0.00	60.00	0.00	0.00%	(60.00)
20-20-5117 Certificate Pay	207.69	0.00	207.69	581.53	1,500.00	38.77%	918.47
20-20-5206 Professional Services	60.00	1,249.50	(1,189.50)	5,740.00	15,000.00	38.27%	9,260.00
20-20-5222 Investigations	0.00	249.90	(249.90)	200.00	3,000.00	6.67%	2,800.00
20-20-5223 Training & Travel	678.00	2,082.50	(1,404.50)	3,466.13	25,000.00	13.86%	21,533.87
20-20-5230 Radio Service	0.00	541.45	(541.45)	0.00	6,500.00	0.00%	6,500.00
20-20-5301 Office Supplies	0.00	416.50	(416.50)	0.00	5,000.00	0.00%	5,000.00
20-20-5303 Public Education & Training	0.00	1,666.00	(1,666.00)	2,646.45	20,000.00	13.23%	17,353.55
20-20-5307 Investigation Supplies	964.53	249.90	714.63	1,268.98	3,000.00	42.30%	1,731.02
20-20-5309 Uniforms	0.00	833.00	(833.00)	(917.15)	10,000.00	(9.17%)	10,917.15
20-20-5314 Computer & Technology	4,870.82	833.00	4,037.82	4,870.82	10,000.00	48.71%	5,129.18
20-20-5315 Computer Software/License	221.28	6,664.00	(6,442.72)	34,882.18	80,000.00	43.60%	45,117.82
20-20-5316 Equipment Repair/Parts	0.00	41.65	(41.65)	0.00	500.00	0.00%	500.00
20-20-5317 Equipment & Other Rentals	51,708.00	9,163.00	42,545.00	51,708.00	110,000.00	47.01%	58,292.00
20-20-5328 Small Tools & Minor	0.00	2,082.50	(2,082.50)	0.00	25,000.00	0.00%	25,000.00
20-20-5330 Miscellaneous	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
20-20-5650 Vehicles & Machinery	47,739.78	12,495.00	35,244.78	56,422.86	150,000.00	37.62%	93,577.14
<b>Police Totals</b>	<b>114,894.29</b>	<b>45,481.83</b>	<b>69,412.46</b>	<b>185,697.63</b>	<b>547,500.00</b>	<b>33.92%</b>	<b>361,802.37</b>
<b>Expense Totals</b>	<b>114,894.29</b>	<b>45,481.83</b>	<b>69,412.46</b>	<b>185,697.63</b>	<b>547,500.00</b>	<b>33.92%</b>	<b>361,802.37</b>

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<b>30 - Capital Improvements Plan Fund (Debt Service)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Property Tax	1,064,614.93	0.00	1,064,614.93	1,117,255.94	1,650,177.00	67.71%	532,921.06
Revenue Totals	<u>1,064,614.93</u>	<u>0.00</u>	<u>1,064,614.93</u>	<u>1,117,255.94</u>	<u>1,650,177.00</u>	<u>67.71%</u>	<u>532,921.06</u>
<b>Expense Summary</b>							
Debt Service	0.00	280,953.86	(280,953.86)	314,874.00	2,956,736.86	10.65%	2,641,862.86
Expense Totals	<u>0.00</u>	<u>280,953.86</u>	<u>(280,953.86)</u>	<u>314,874.00</u>	<u>2,956,736.86</u>	<u>10.65%</u>	<u>2,641,862.86</u>

<b>30 - Capital Improvements Plan Fund (Administration)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Property Tax	1,064,614.93	0.00	1,064,614.93	1,117,255.94	1,650,177.00	67.71%	532,921.06
<b>Administration Totals</b>	<u>1,064,614.93</u>	<u>0.00</u>	<u>1,064,614.93</u>	<u>1,117,255.94</u>	<u>1,650,177.00</u>	<u>67.71%</u>	<u>532,921.06</u>
<b>Revenue Total</b>	<u><u>1,064,614.93</u></u>	<u><u>0.00</u></u>	<u><u>1,064,614.93</u></u>	<u><u>1,117,255.94</u></u>	<u><u>1,650,177.00</u></u>	<u><u>67.71%</u></u>	<u><u>532,921.06</u></u>

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<b>30 - Capital Improvements Plan Fund (Administration)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
30-10-4120 Property Tax	1,064,614.93	0.00	1,064,614.93	1,117,255.94	1,650,177.00	67.71%	532,921.06
Administration Totals	1,064,614.93	0.00	1,064,614.93	1,117,255.94	1,650,177.00	67.71%	532,921.06
Revenue Totals	1,064,614.93	0.00	1,064,614.93	1,117,255.94	1,650,177.00	67.71%	532,921.06

<b>30 - Capital Improvements Plan Fund (Administration)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Debt Service	0.00	280,953.86	(280,953.86)	314,874.00	2,956,736.86	10.65%	2,641,862.86
<b>Administration Totals</b>	0.00	280,953.86	(280,953.86)	314,874.00	2,956,736.86	10.65%	2,641,862.86
<b>Expense Total</b>	0.00	280,953.86	(280,953.86)	314,874.00	2,956,736.86	10.65%	2,641,862.86

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<b>30 - Capital Improvements Plan Fund (Administration)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
30-10-5501 Debt Principal	0.00	33,320.00	(33,320.00)	0.00	400,000.00	0.00%	400,000.00
30-10-5504 Paying Agent Fee	0.00	0.00	0.00	0.00	1,000.00	0.00%	1,000.00
30-10-5513 Interest on Debt	0.00	138,797.40	(138,797.40)	314,874.00	1,249,176.67	25.21%	934,302.67
30-10-5520 MUD 55 Debt Adjustment	0.00	108,836.46	(108,836.46)	0.00	1,306,560.19	0.00%	1,306,560.19
Administration Totals	<u>0.00</u>	<u>280,953.86</u>	<u>(280,953.86)</u>	<u>314,874.00</u>	<u>2,956,736.86</u>	<u>10.65%</u>	<u>2,641,862.86</u>
Expense Totals	<u>0.00</u>	<u>280,953.86</u>	<u>(280,953.86)</u>	<u>314,874.00</u>	<u>2,956,736.86</u>	<u>10.65%</u>	<u>2,641,862.86</u>

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<b>35 - Capital Improvements Plan Fund (Local)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Miscellaneous	0.00	25,000.00	(25,000.00)	0.00	300,000.00	0.00%	300,000.00
Grant Income	0.00	0.00	0.00	0.00	18,000.00	0.00%	18,000.00
Revenue Totals	<u>0.00</u>	<u>25,000.00</u>	<u>(25,000.00)</u>	<u>0.00</u>	<u>318,000.00</u>	<u>0.00%</u>	<u>318,000.00</u>
<b>Expense Summary</b>							
Professional/Contract Services	0.00	3,333.33	(3,333.33)	0.00	30,000.00	0.00%	30,000.00
Expense Totals	<u>0.00</u>	<u>3,333.33</u>	<u>(3,333.33)</u>	<u>0.00</u>	<u>30,000.00</u>	<u>0.00%</u>	<u>30,000.00</u>

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<b>35 - Capital Improvements Plan Fund (Local)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Miscellaneous</b>							
35-4802 TWDB	0.00	25,000.00	(25,000.00)	0.00	300,000.00	0.00%	300,000.00
Miscellaneous Totals	0.00	25,000.00	(25,000.00)	0.00	300,000.00	0.00%	300,000.00
<b>Grant Income</b>							
35-4803 GLO Grant Funds	0.00	0.00	0.00	0.00	18,000.00	0.00%	18,000.00
Grant Income Totals	0.00	0.00	0.00	0.00	18,000.00	0.00%	18,000.00
Revenue Totals	0.00	25,000.00	(25,000.00)	0.00	318,000.00	0.00%	318,000.00

<b>35 - Capital Improvements Plan Fund (Administration)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Professional/Contract Services	0.00	3,333.33	(3,333.33)	0.00	30,000.00	0.00%	30,000.00
<b>Administration Totals</b>	0.00	3,333.33	(3,333.33)	0.00	30,000.00	0.00%	30,000.00
<b>Expense Total</b>	0.00	3,333.33	(3,333.33)	0.00	30,000.00	0.00%	30,000.00

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<b>35 - Capital Improvements Plan Fund (Administration)</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
35-10-5206 Professional Services	0.00	3,333.33	(3,333.33)	0.00	30,000.00	0.00%	30,000.00
Administration Totals	0.00	3,333.33	(3,333.33)	0.00	30,000.00	0.00%	30,000.00
Expense Totals	0.00	3,333.33	(3,333.33)	0.00	30,000.00	0.00%	30,000.00

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<b>37 - Parkland Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
License & Permits	53,909.00	21,250.00	32,659.00	114,700.00	255,000.00	44.98%	140,300.00
Revenue Totals	<u>53,909.00</u>	<u>21,250.00</u>	<u>32,659.00</u>	<u>114,700.00</u>	<u>255,000.00</u>	<u>44.98%</u>	<u>140,300.00</u>

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<b>37 - Parkland Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>License &amp; Permits</b>							
37-4808 Regional Parkland Revenue	53,909.00	21,250.00	32,659.00	114,700.00	255,000.00	44.98%	140,300.00
License & Permits Totals	<u>53,909.00</u>	<u>21,250.00</u>	<u>32,659.00</u>	<u>114,700.00</u>	<u>255,000.00</u>	<u>44.98%</u>	<u>140,300.00</u>
Revenue Totals	<u><u>53,909.00</u></u>	<u><u>21,250.00</u></u>	<u><u>32,659.00</u></u>	<u><u>114,700.00</u></u>	<u><u>255,000.00</u></u>	<u><u>44.98%</u></u>	<u><u>140,300.00</u></u>

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<b>40 - Court Technology Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Fines & Forfeitures	98.75	833.33	(734.58)	605.99	10,000.00	6.06%	9,394.01
Revenue Totals	<u>98.75</u>	<u>833.33</u>	<u>(734.58)</u>	<u>605.99</u>	<u>10,000.00</u>	<u>6.06%</u>	<u>9,394.01</u>
<b>Expense Summary</b>							
Materials & Supplies	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Expense Totals	<u>0.00</u>	<u>416.67</u>	<u>(416.67)</u>	<u>0.00</u>	<u>5,000.00</u>	<u>0.00%</u>	<u>5,000.00</u>

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<b>40 - Court Technology Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Fines &amp; Forfeitures</b>							
40-4707 Court Technology Fee	98.75	833.33	(734.58)	605.99	10,000.00	6.06%	9,394.01
Fines & Forfeitures Totals	98.75	833.33	(734.58)	605.99	10,000.00	6.06%	9,394.01
Revenue Totals	98.75	833.33	(734.58)	605.99	10,000.00	6.06%	9,394.01

<b>40 - Court Technology Fund Municipal Court</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
<b>Municipal Court Totals</b>	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
<b>Expense Total</b>	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00

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<b>40 - Court Technology Fund Municipal Court</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
40-25-5332 Court Technology	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Municipal Court Totals	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Expense Totals	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00

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<b>41 - Court Security Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Fines & Forfeitures	120.99	1,000.00	(879.01)	732.87	12,000.00	6.11%	11,267.13
Revenue Totals	<u>120.99</u>	<u>1,000.00</u>	<u>(879.01)</u>	<u>732.87</u>	<u>12,000.00</u>	<u>6.11%</u>	<u>11,267.13</u>
<b>Expense Summary</b>							
Materials & Supplies	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Expense Totals	<u>0.00</u>	<u>416.67</u>	<u>(416.67)</u>	<u>0.00</u>	<u>5,000.00</u>	<u>0.00%</u>	<u>5,000.00</u>

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<b>41 - Court Security Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Fines &amp; Forfeitures</b>							
41-4708 Court Security Fee	120.99	1,000.00	(879.01)	732.87	12,000.00	6.11%	11,267.13
Fines & Forfeitures Totals	120.99	1,000.00	(879.01)	732.87	12,000.00	6.11%	11,267.13
Revenue Totals	120.99	1,000.00	(879.01)	732.87	12,000.00	6.11%	11,267.13

<b>41 - Court Security Fund Municipal Court</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
<b>Municipal Court Totals</b>	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
<b>Expense Total</b>	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00

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<b>41 - Court Security Fund Municipal Court</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
41-25-5333 Court Security	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Municipal Court Totals	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Expense Totals	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00

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<b>50 - Vehicle Replacement Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Miscellaneous	1,143.01	0.00	1,143.01	4,754.67	13,000.00	36.57%	8,245.33
Transfers	0.00	0.00	0.00	0.00	255,000.00	0.00%	255,000.00
Revenue Totals	<u>1,143.01</u>	<u>0.00</u>	<u>1,143.01</u>	<u>4,754.67</u>	<u>268,000.00</u>	<u>1.77%</u>	<u>263,245.33</u>
<b>Expense Summary</b>							
Capital Outlay	0.00	8,333.33	(8,333.33)	0.00	100,000.00	0.00%	100,000.00
Expense Totals	<u>0.00</u>	<u>8,333.33</u>	<u>(8,333.33)</u>	<u>0.00</u>	<u>100,000.00</u>	<u>0.00%</u>	<u>100,000.00</u>

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<b>50 - Vehicle Replacement Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Miscellaneous</b>							
50-4910 Interest Income	1,143.01	0.00	1,143.01	4,754.67	13,000.00	36.57%	8,245.33
Miscellaneous Totals	1,143.01	0.00	1,143.01	4,754.67	13,000.00	36.57%	8,245.33
<b>Transfers</b>							
50-8000 Transfer In	0.00	0.00	0.00	0.00	255,000.00	0.00%	255,000.00
Transfers Totals	0.00	0.00	0.00	0.00	255,000.00	0.00%	255,000.00
Revenue Totals	1,143.01	0.00	1,143.01	4,754.67	268,000.00	1.77%	263,245.33

<b>50 - Vehicle Replacement Fund Administration</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	0.00	8,333.33	(8,333.33)	0.00	100,000.00	0.00%	100,000.00
<b>Administration Totals</b>	0.00	8,333.33	(8,333.33)	0.00	100,000.00	0.00%	100,000.00
<b>Expense Total</b>	0.00	8,333.33	(8,333.33)	0.00	100,000.00	0.00%	100,000.00

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<b>50 - Vehicle Replacement Fund Administration</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
50-10-5650 Vehicles & Machinery	0.00	8,333.33	(8,333.33)	0.00	100,000.00	0.00%	100,000.00
Administration Totals	0.00	8,333.33	(8,333.33)	0.00	100,000.00	0.00%	100,000.00
Expense Totals	0.00	8,333.33	(8,333.33)	0.00	100,000.00	0.00%	100,000.00

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Account Type	Account Number	Description	Balance	Total
<b>10 - General Fund</b>				
Assets				
	10-1000	Cash / Due From Consolidated Cash	14,298,205.78	
	10-1004	Petty Cash	300.00	
	10-1006	TexStar CD	2,844,268.17	
	10-1112	Allowance for Fines Receivable	(298,310.04)	
	10-1113	Fines Receivable	314,011.00	
	10-1114	Property Taxes Receivable	30,119.00	
	10-1115	Property Tax Receivable - P & I	11,937.00	
	10-1260	Due From Utility Fund	188,673.09	
	Total Assets		<u>17,389,204.00</u>	<u>17,389,204.00</u>

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Account Type	Account Number	Description	Balance	Total
<b>10 - General Fund</b>				
Liabilities				
	10-2000	Due To Consolidated Cash / Accounts Payable	532,087.08	
	10-2200	Wages Payable	34,236.99	
	10-2201	Employee Dental Insurance	1,537.70	
	10-2203	Federal Tax Payable	5,015.00	
	10-2205	TMRS Payable	4,322.26	
	10-2206	Texas Workforce Commission Payable	(2.70)	
	10-2207	Health & Life Insurance Payable	(10,909.60)	
	10-2208	Child Support Payable	(1,527.31)	
	10-2209	457(b) Payable	1,423.07	
	10-2300	State Fees	27,428.32	
	10-2304	Credit Card Fee	(1,926.13)	
	10-2305	Deferred Revenues - Fines	15,701.00	
	10-2405	Deferred Inflows-Prop taxes	42,056.00	
	10-2500	American Rescue Plan Fund	1,284.00	
	10-2501	Baseball Field Reserve	17,223.50	
	10-2506	Early Plat - Sierra V W Sec 5	0.01	
	10-2511	Meridiana Escrow	(770.00)	
	10-2518	Capital Contribution - CR 64	1,731,000.00	
	10-2543	Early Plat - Sterling Lakes North Sec 1	158,279.00	
	10-2550	Early Plat - Creekhaven Sec 1	802,960.69	
	10-2554	Early Plat - Sierra VW Sec 11	1,196,526.03	
	10-2602	Due to Retainer Fund	797,940.00	
	10-2603	Due to Crime Prevention	(3,993.13)	
	10-2608	Due to Court Tech Fund	(79.00)	
	Total Liabilities		<u>5,349,812.78</u>	
Fund Balance				
	10-3000	Fund Balance	5,454,537.08	
	10-3002	Fund Balance Assigned	1,625,000.00	
	Total Fund Balance		<u>7,079,537.08</u>	

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Account Type	Account Number	Description	Balance	Total
<b>10 - General Fund</b>				
		Total Revenue	7,362,104.78	
		Total Expenses	<u>2,408,521.58</u>	
		Current Year Increase (Decrease)	4,959,854.14	
		Fund Balance Total	7,079,537.08	
		Current Year Increase (Decrease)	<u>4,959,854.14</u>	
		Total Fund Balance/Equity	<u>12,039,391.22</u>	
		Total Liabilities & Fund Balance		<u><u>17,389,204.00</u></u>

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Account Type	Account Number	Description	Balance	Total
<b>11 - Retainer Fund</b>				
Assets				
	11-1000	Cash / Due From Consolidated Cash	(130,618.50)	
	11-1002	Retainer Account	525,958.76	
	11-1015	Ames Blvd Ret - TX Class	1,648,776.07	
	Total Assets		<u>2,044,116.33</u>	
				<u><u>2,044,116.33</u></u>

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Account Type	Account Number	Description	Balance	Total
<b>11 - Retainer Fund</b>				
Liabilities				
	11-2010	Accounts Payable	3,325.00	
	11-2400	Road Damage Deposit	342,183.65	
	11-2502	Baymark Pipeline LLC	1.00	
	11-2504	Cherry Crushed Concrete	23,200.00	
	11-2505	DR Horton/MUD 87	4,721.13	
	11-2509	Formosa/Lav Pipeline-TRC	10,826.04	
	11-2510	M2E3/Enterprise Pipeline	(47,206.15)	
	11-2511	Meridiana Escrow	4,345.00	
	11-2512	Old Airline Market-Axis Dev	207.50	
	11-2513	Sierra Vista - Land Tejas	1,048.10	
	11-2514	Sierra Vista West - Land Tejas	21,609.33	
	11-2515	South Texas NGL Pipeline, LLC	1.00	
	11-2517	Sterling Lakes - Land Tejas	6,004.09	
	11-2521	Meritage/Rise- BCMUD 57	3,838.10	
	11-2529	Meridiana PUD Amendment	1,812.88	
	11-2536	Rally 288 West PUD	22,721.83	
	11-2537	Southern Star PUD	5,686.21	
	11-2538	PUD Hines Investments	7,745.00	
	11-2539	SVW Entertainment Dist PUD	6,689.56	
	11-2541	Extension of Ames Blvd Project	1,442,867.50	
	11-2545	Crystal Center Entertainment District	11,061.98	
	11-2546	Maple Farms Tract - Special District	742.22	
	11-2547	PUD - Caldwell, Active Adult Community	6,880.00	
	11-2549	PUD - Sunset Prairie: Majestic Developers	3,905.00	
	11-2553	PUD - Coogan Tract	(329.70)	
	11-2555	PUD - Colony Retreat	10,000.00	
	Total Liabilities		<u>1,893,886.27</u>	
Fund Balance				
	11-3000	Fund Balance	<u>127,876.58</u>	
	Total Fund Balance		<u>127,876.58</u>	

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Account Type	Account Number	Description	Balance	Total
<b>11 - Retainer Fund</b>				
		Total Revenue	22,352.49	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	22,353.48	
		Fund Balance Total	127,876.58	
		Current Year Increase (Decrease)	22,353.48	
		Total Fund Balance/Equity	150,230.06	
		Total Liabilities & Fund Balance		2,044,116.33

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Account Type	Account Number	Description	Balance	Total
<b>12 - Project Fund Series 2022</b>				
Assets				
	12-1000	Cash / Due From Consolidated Cash	(6,140,036.48)	
	12-1010	Project Fund Series 2022	1,608,084.16	
	12-1012	Proj Fund Series 22 - Tx Class	4,793,969.32	
	Total Assets		<u>262,017.00</u>	<u>262,017.00</u>

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Account Type	Account Number	Description	Balance	Total
<b>12 - Project Fund Series 2022</b>				
Fund Balance				
	12-3000	Fund Balance	209,978.61	
		Total Fund Balance	209,978.61	
		Total Revenue	64,991.86	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	52,038.39	
		Fund Balance Total	209,978.61	
		Current Year Increase (Decrease)	52,038.39	
		Total Fund Balance/Equity	262,017.00	
		Total Liabilities & Fund Balance		262,017.00

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Account Type	Account Number	Description	Balance	Total
<b>20 - Crime Control and Prevention District Fund</b>				
Assets				
	20-1000	Cash / Due From Consolidated Cash	152,492.85	
	20-1013	TexStar - Crime Control	477,112.41	
	20-1301	Due from General Fund	(3,993.13)	
	Total Assets		<u>625,612.13</u>	
				<u><u>625,612.13</u></u>

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Account Type	Account Number	Description	Balance	Total
<b>20 - Crime Control and Prevention District Fund</b>				
Liabilities				
	20-2000	Due To Consolidated Cash / Accounts Payable	24,384.04	
	20-2205	TMRS Payable	0.10	
	20-2207	Health & Life Insurance Payable	1,916.02	
	Total Liabilities		<u>26,300.16</u>	
Fund Balance				
	20-3000	Fund Balance	<u>758,750.47</u>	
	Total Fund Balance		<u>758,750.47</u>	
		Total Revenue	74,369.59	
		Total Expenses	<u>185,697.63</u>	
		Current Year Increase (Decrease)	(159,438.50)	
		Fund Balance Total	758,750.47	
		Current Year Increase (Decrease)	<u>(159,438.50)</u>	
		Total Fund Balance/Equity	<u>599,311.97</u>	
	Total Liabilities & Fund Balance			<u><u>625,612.13</u></u>

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Account Type	Account Number	Description	Balance	Total
<b>21 - Law Enforcement</b>				
Assets				
	21-1000	Cash / Due From Consolidated Cash	1,585.50	
	Total Assets		1,585.50	
				1,585.50

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Account Type	Account Number	Description	Balance	Total
<b>21 - Law Enforcement</b>				
Fund Balance				
	21-3000	Fund Balance	1,585.50	
		Total Fund Balance	1,585.50	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	0.00	
		Fund Balance Total	1,585.50	
		Current Year Increase (Decrease)	0.00	
		Total Fund Balance/Equity	1,585.50	
		Total Liabilities & Fund Balance		1,585.50

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Account Type	Account Number	Description	Balance	Total
<b>30 - Capital Improvements Plan Fund (Debt Service)</b>				
Assets				
	30-1000	Cash / Due From Consolidated Cash	2,003,644.03	
	30-1114	Property Taxes Receivable	16,704.00	
	30-1115	Property Tax Receivable - P & I	3,729.00	
	Total Assets		<u>2,024,077.03</u>	
				<u><u>2,024,077.03</u></u>

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Account Type	Account Number	Description	Balance	Total
<b>30 - Capital Improvements Plan Fund (Debt Service)</b>				
Liabilities				
	30-2405	Deferred Inflows-Prop taxes	20,433.00	
	Total Liabilities		<u>20,433.00</u>	
Fund Balance				
	30-3000	Fund Balance	1,201,262.09	
	Total Fund Balance		<u>1,201,262.09</u>	
		Total Revenue	1,117,255.94	
		Total Expenses	<u>314,874.00</u>	
		Current Year Increase (Decrease)	802,381.94	
		Fund Balance Total	1,201,262.09	
		Current Year Increase (Decrease)	<u>802,381.94</u>	
		Total Fund Balance/Equity	<u>2,003,644.03</u>	
	Total Liabilities & Fund Balance			<u><u>2,024,077.03</u></u>

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Account Type	Account Number	Description	Balance	Total
<b>36 - Public Safety Grants</b>				
Assets				
	36-1000	Cash / Due From Consolidated Cash	(63,753.77)	
	Total Assets		(63,753.77)	(63,753.77)

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Item 10.

Account Type	Account Number	Description	Balance	Total
<b>36 - Public Safety Grants</b>				
Liabilities				
	36-2205	TMRS Payable	0.11	
	36-2206	Texas Workforce Commission Payable	(19.12)	
	36-2207	Health & Life Insurance Payable	650.76	
	Total Liabilities		<u>631.75</u>	
Fund Balance				
	36-3000	Fund Balance	<u>(21,065.92)</u>	
	Total Fund Balance		<u>(21,065.92)</u>	
		Total Revenue	0.00	
		Total Expenses	<u>43,319.60</u>	
		Current Year Increase (Decrease)	(43,319.60)	
		Fund Balance Total	(21,065.92)	
		Current Year Increase (Decrease)	<u>(43,319.60)</u>	
		Total Fund Balance/Equity	<u>(64,385.52)</u>	
	Total Liabilities & Fund Balance			<u><u>(63,753.77)</u></u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>37 - Parkland Fund</b>				
Assets				
	37-1000	Cash / Due From Consolidated Cash	449,624.00	
	Total Assets		<u>449,624.00</u>	<u>449,624.00</u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>37 - Parkland Fund</b>				
Fund Balance				
	37-3000	Fund Balance	334,924.00	
	Total Fund Balance		334,924.00	
		Total Revenue	114,700.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	114,700.00	
		Fund Balance Total	334,924.00	
		Current Year Increase (Decrease)	114,700.00	
		Total Fund Balance/Equity	449,624.00	
	Total Liabilities & Fund Balance			449,624.00

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>40 - Court Technology Fund</b>				
Assets				
	40-1000	Cash / Due From Consolidated Cash	31,207.20	
	40-1301	Due from General Fund	(79.00)	
	Total Assets		<u>31,128.20</u>	
				<u><u>31,128.20</u></u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>40 - Court Technology Fund</b>				
Fund Balance				
	40-3000	Fund Balance	30,521.76	
	Total Fund Balance		30,521.76	
		Total Revenue	605.99	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	606.44	
		Fund Balance Total	30,521.76	
		Current Year Increase (Decrease)	606.44	
		Total Fund Balance/Equity	31,128.20	
	Total Liabilities & Fund Balance			31,128.20

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>41 - Court Security Fund</b>				
Assets				
	41-1000	Cash / Due From Consolidated Cash	46,357.95	
	Total Assets		<u>46,357.95</u>	<u>46,357.95</u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>41 - Court Security Fund</b>				
Fund Balance				
	41-3000	Fund Balance	45,624.72	
		Total Fund Balance	45,624.72	
		Total Revenue	732.87	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	733.23	
		Fund Balance Total	45,624.72	
		Current Year Increase (Decrease)	733.23	
		Total Fund Balance/Equity	46,357.95	
		Total Liabilities & Fund Balance		46,357.95

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>42 - Consolidated Security and Technology Fund</b>				
Assets				
	42-1000	Cash / Due From Consolidated Cash	8,458.57	
	Total Assets		8,458.57	
				8,458.57

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>42 - Consolidated Security and Technology Fund</b>				
Fund Balance				
	42-3000	Fund Balance	2,627.20	
	Total Fund Balance		<u>2,627.20</u>	
		Total Revenue	5,831.37	
		Total Expenses	<u>0.00</u>	
		Current Year Increase (Decrease)	5,831.37	
		Fund Balance Total	2,627.20	
		Current Year Increase (Decrease)	<u>5,831.37</u>	
		Total Fund Balance/Equity	<u>8,458.57</u>	
	Total Liabilities & Fund Balance			<u><u>8,458.57</u></u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>45 - American Rescue Plan Act (ARPA) Fund</b>				
Liabilities				
	45-2411	Coronavirus Unearned Revenue	(0.01)	
	Total Liabilities		(0.01)	
Fund Balance				
	45-3000	Fund Balance	0.01	
	Total Fund Balance		0.01	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	0.00	
		Fund Balance Total	0.01	
		Current Year Increase (Decrease)	0.00	
		Total Fund Balance/Equity	0.01	
	Total Liabilities & Fund Balance			0.00

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>50 - Vehicle Replacement Fund</b>				
Assets				
	50-1000	Cash / Due From Consolidated Cash	(261,855.67)	
	50-1014	TexStar - Veh Rep Fund	364,139.84	
	Total Assets		<u>102,284.17</u>	
				<u><u>102,284.17</u></u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>50 - Vehicle Replacement Fund</b>				
Fund Balance				
	50-3000	Fund Balance	97,529.50	
	Total Fund Balance		97,529.50	
		Total Revenue	4,754.67	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	4,754.67	
		Fund Balance Total	97,529.50	
		Current Year Increase (Decrease)	4,754.67	
		Total Fund Balance/Equity	102,284.17	
	Total Liabilities & Fund Balance			102,284.17

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>60 - Utility Fund</b>				
Assets				
	60-1000	Cash / Due From Consolidated Cash	349,362.30	
	60-1016	Central Bank 3666	(316,089.68)	
	60-1017	Central Bank Sweep Inv Account	3,330,097.97	
	60-1100	Accounts Receivable	110,107.72	
	60-1503	Water Facilities	8,397,707.00	
	60-1504	Wastewater Facilities	13,953,336.00	
	60-1553	Acumulated Dep Water/Sewer	(173,027.00)	
	Total Assets		<u>25,651,494.31</u>	<u>25,651,494.31</u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>60 - Utility Fund</b>				
Liabilities				
	60-2000	Due To Consolidated Cash / Accounts Payable	6,251.55	
	60-2100	Water Customer Deposits	438,579.98	
	60-2210	Garbage Tax Collected Si Env	116,274.40	
	60-2601	Due to General Fund	176,811.09	
	Total Liabilities		<u>737,917.02</u>	
Fund Balance				
	60-3000	Fund Balance	<u>25,256,391.00</u>	
	Total Fund Balance		<u>25,256,391.00</u>	
		Total Revenue	1,175,559.05	
		Total Expenses	<u>1,515,197.71</u>	
		Current Year Increase (Decrease)	(342,813.71)	
		Fund Balance Total	25,256,391.00	
		Current Year Increase (Decrease)	<u>(342,813.71)</u>	
		Total Fund Balance/Equity	<u>24,913,577.29</u>	
	Total Liabilities & Fund Balance			<u><u>25,651,494.31</u></u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>61 - Utility Debt F Capital Project</b>				
Assets				
	61-1000	Cash / Due From Consolidated Cash	(333,681.05)	
	61-1018	Bank OZK Esc	147,684.43	
	61-1502	Construction in Progress	5,329,955.00	
	Total Assets		<u>5,143,958.38</u>	
				<u><u>5,143,958.38</u></u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>61 - Utility Debt F Capital Project</b>				
Liabilities				
	61-2560	Financing Agreement LT	3,321,173.52	
	61-2561	Financing Agreement FS Ph2	2,156,022.07	
	Total Liabilities		<u>5,477,195.59</u>	
Fund Balance				
	61-3000	Fund Balance	(335,253.60)	
	Total Fund Balance		<u>(335,253.60)</u>	
		Total Revenue	2,016.39	
		Total Expenses	<u>0.00</u>	
		Current Year Increase (Decrease)	2,016.39	
		Fund Balance Total	(335,253.60)	
		Current Year Increase (Decrease)	<u>2,016.39</u>	
		Total Fund Balance/Equity	<u>(333,237.21)</u>	
	Total Liabilities & Fund Balance			<u><u>5,143,958.38</u></u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>62 - Project Fund Series 2025</b>				
Assets				
	62-1000	Cash / Due From Consolidated Cash	(61,592.76)	
	62-1020	Project Fund Series 2025 Tx Class	27,510,355.51	
	Total Assets		<u>27,448,762.75</u>	
				<u><u>27,448,762.75</u></u>

City of Iowa Colony  
 Balance Sheet  
 As of January 31, 2026

2/11/2026

Item 10.

Account Type	Account Number	Description	Balance	Total
<b>62 - Project Fund Series 2025</b>				
		Total Revenue	28,335,020.76	
		Total Expenses	<u>886,258.01</u>	
		Current Year Increase (Decrease)	27,448,762.75	
		Fund Balance Total	0.00	
		Current Year Increase (Decrease)	<u>27,448,762.75</u>	
		Total Fund Balance/Equity	<u>27,448,762.75</u>	
		Total Liabilities & Fund Balance		<u><u>27,448,762.75</u></u>

City of Iowa Colony

Operations Report for the meeting held on February 23rd, 2026.

Management Report Summary

**1. Maintenance & Repairs:**

- **Wastewater Treatment Plant**
  - i. WWTP#1 – Reinstalled blower #7 after repairs were made.
  - ii. WWTP#1 – Replaced Amp Meter for blower #9.
  - iii. WWTP#1 – Purchaed HTH granular for facility.
  - iv. WWTP#1 – Vactor truck work to clean headworks and clarifier.
  - v. WWTP #2 – Replaced Automatic Transfer Switch for onsite generator.
- **Lift Station**
  - i. Mystic Topaz L8 – Vactor truck work to clean lift station
  - ii. Green Paradise Dr L2 – Pulled lift pumps to clear out debris on 2 occasions and had vactor truck clean wet well.
- **Water Distribution**
  - i. In City – 14 excavations to replace leaking taplines or main lines.
  - ii. In City – 39 jobs to replace landscaping after repairs were made to distribution system.
  - iii. 2610 Jasper Oaks Dr – Installed extension kit to fire hydrant.
  - iv. 13203 Hayden Peak Dr - Installed extension kit to fire hydrant.
- **Water Plant**
  - i. Bronze Shore Dr – Performed well production report for wells 1&2.
  - ii. C.R. 64 – Performed well production report for wells 1&2.
- **Storm Sewer Collection**
  - i. 2815 Nickel Canyon Dr – Broke out sidewalk and lowered manhole to grade.
- **Sanitary Sewer**
  - i. 9911 Channel Ste Way – Broke out sidewalk and resealed throat of manhole .
  - ii. 10618 Amador Peak – Jett truck work to clear blockage in sanitary main.

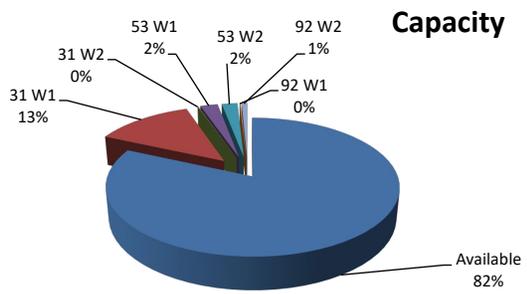
# City of Iowa Colony Production Report

Item 11.

JANUARY 2026 PUMPAGE X 1,000 GALS												
Date	B031 Well 1	B031 Well 2	B053 Well 1	B053 Well 2	B092 Well 1	B092 Well 2	Total	Capacity	Bought	From	Sold	To
1	887	0	137	146	43	0	1,213	20.8%	65	BFB3	0	BC87
2	687	0	120	58	27	0	892	15.3%	65	BFB3	0	BC87
3	813	0	119	148	39	0	1,119	19.2%	65	BFB3	0	BC87
4	997	0	171	176	14	0	1,358	23.3%	65	BFB3	0	BC87
5	833	44	188	125	0	39	1,229	21.1%	134	BFB3	0	BC87
6	775	0	143	113	0	35	1,066	18.3%	73	BFB3	0	BC87
7	935	0	187	139	0	53	1,314	22.6%	65	BFB3	0	BC87
8	701	0	124	93	0	25	943	16.2%	107	BFB3	0	BC87
9	578	0	90	82	1	43	794	13.6%	77	BFB3	0	BC87
10	732	0	127	116	0	49	1,024	17.6%	77	BFB3	0	BC87
11	1,024	0	173	183	0	37	1,417	24.3%	77	BFB3	0	BC87
12	831	37	162	151	0	51	1,232	21.1%	75	BFB3	0	BC87
13	679	0	134	119	0	38	970	16.6%	129	BFB3	0	BC87
14	779	0	127	118	0	38	1,062	18.2%	56	BFB3	0	BC87
15	693	0	155	111	0	52	1,011	17.4%	106	BFB3	0	BC87
16	749	0	110	94	0	160	1,113	19.1%	83	BFB3	0	BC87
17	813	0	145	136	0	191	1,285	22.1%	83	BFB3	0	BC87
18	1,336	0	207	189	34	176	1,942	33.3%	83	BFB3	0	BC87
19	1,125	0	228	167	57	206	1,783	30.6%	83	BFB3	0	BC87
20	679	0	96	144	0	69	988	17.0%	100	BFB3	0	BC87
21	672	0	162	106	0	12	952	16.3%	35	BFB3	0	BC87
22	421	0	93	99	0	11	624	10.7%	51	BFB3	0	BC87
23	681	0	84	95	0	27	887	15.2%	45	BFB3	0	BC87
24	766	0	115	133	0	0	1,014	17.4%	45	BFB3	0	BC87
25	545	0	125	120	0	11	801	13.7%	44	BFB3	0	BC87
26	774	42	155	122	0	31	1,124	19.3%	49	BFB3	0	BC87
27	611	0	106	113	0	0	830	14.2%	43	BFB3	0	BC87
28	555	0	93	105	0	0	753	12.9%	48	BFB3	0	BC87
29	549	0	114	105	22	0	790	13.6%	51	BFB3	0	BC87
30	414	0	53	52	11	0	530	9.1%	42	BFB3	0	BC87
31	689	0	141	105	11	0	946	16.2%	42	BFB3	0	BC87
<b>TOTAL:</b>	<b>23,323</b>	<b>123</b>	<b>4,184</b>	<b>3,763</b>	<b>259</b>	<b>1,354</b>	<b>33,006</b>		<b>2,163</b>		<b>0</b>	

BC31 PERMIT	PERMIT TERM	GALLONS PUMPED	PERMIT USED	MONTHS	
				AVAIL	PROJ
325,000	x 1,000 gallons	309,442	95%	0	1
BC53 PERMIT	PERMIT TERM	GALLONS PUMPED	PERMIT USED	MONTHS	
				AVAIL	PROJ
210,000	x 1,000 gallons	21,666	10%	0	104
BC92 PERMIT	PERMIT TERM	GALLONS PUMPED	PERMIT USED	MONTHS	
				AVAIL	PROJ
30,000	x 1,000 gallons	4,769	16%	5	37

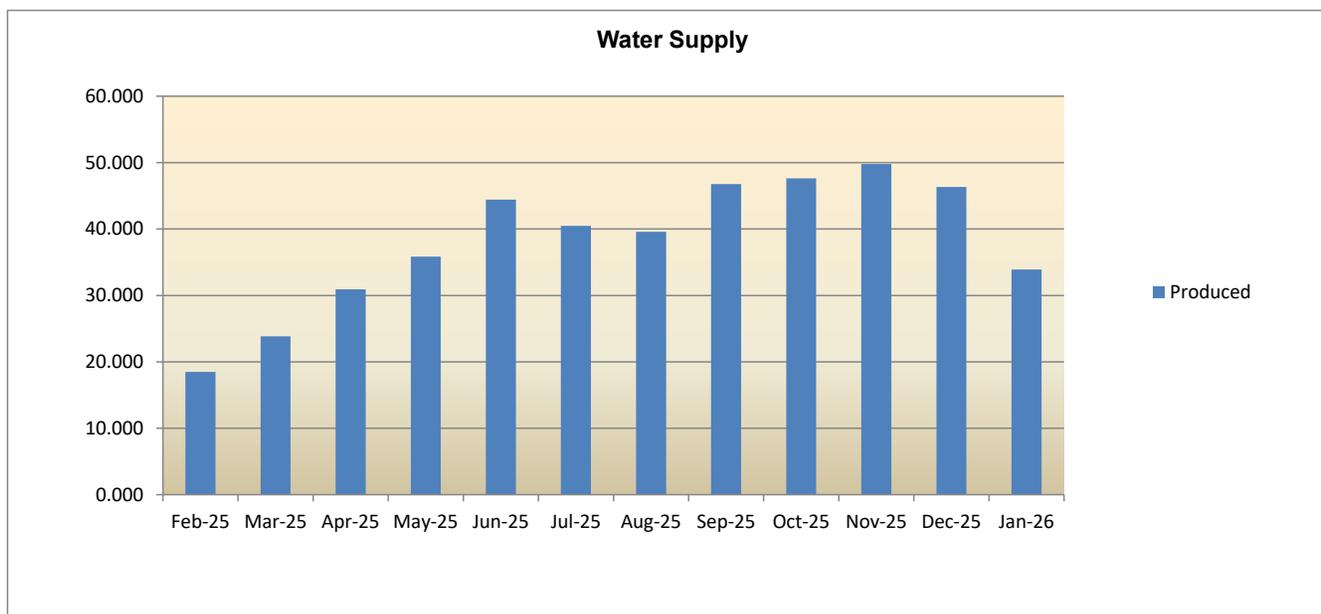
WATER WELL	PRODUCT TEST	GPM	DAILY CAPACITY
BC31 1	12/1/25	1251	1,801
BC31 2	12/1/25	617	851
BC53 1	12/2/25	544	783
BC53 2	12/2/25	606	873
BC92 1	11/13/25	512	737
BC92 2	11/13/25	542	780
<b>TOTAL</b>			<b>5,826</b>



# City of Iowa Colony Accountability Report

Item 11.

Billing Period	Produced	Purchased I/C BFB3	Total Supplied	Metered COIC	Unmetered	Repairs	Accountability	Four month average
01/11/25 - 02/07/25	18.476	0.000	18.476	20.269	0.261	0.000	111.12%	103.89%
02/08/25 - 03/11/25	23.825	0.000	23.825	24.223	0.259	0.000	102.76%	104.08%
03/12/25 - 04/09/25	30.932	0.000	30.932	30.115	0.306	0.000	98.35%	102.44%
04/10/25 - 05/09/25	35.850	3.063	38.913	37.958	0.229	0.000	98.13%	102.59%
05/10/25 - 06/09/25	44.430	3.265	47.695	46.345	0.244	0.000	97.68%	99.23%
06/10/25 - 07/09/25	40.466	4.040	44.506	42.442	0.131	0.000	95.66%	97.46%
07/10/25 - 08/07/25	39.579	4.459	44.038	45.027	0.172	0.000	102.64%	98.53%
08/8/25 - 09/08/25	46.759	3.998	50.757	50.142	0.126	0.000	99.04%	98.75%
09/9/25 - 10/07/25	47.636	6.669	54.305	53.969	1.633	0.162	102.69%	100.00%
10/8/25 - 11/06/25	49.772	6.711	56.483	53.748	0.163	0.000	95.45%	99.95%
11/7/25 - 12/10/25	46.332	4.106	50.438	46.167	0.166	0.000	91.86%	97.26%
12/11/25 - 01/09/26	33.894	2.086	35.980	34.596	0.193	0.000	96.69%	96.67%



Wastewater Treatment Plant #1  
BC31 Plant

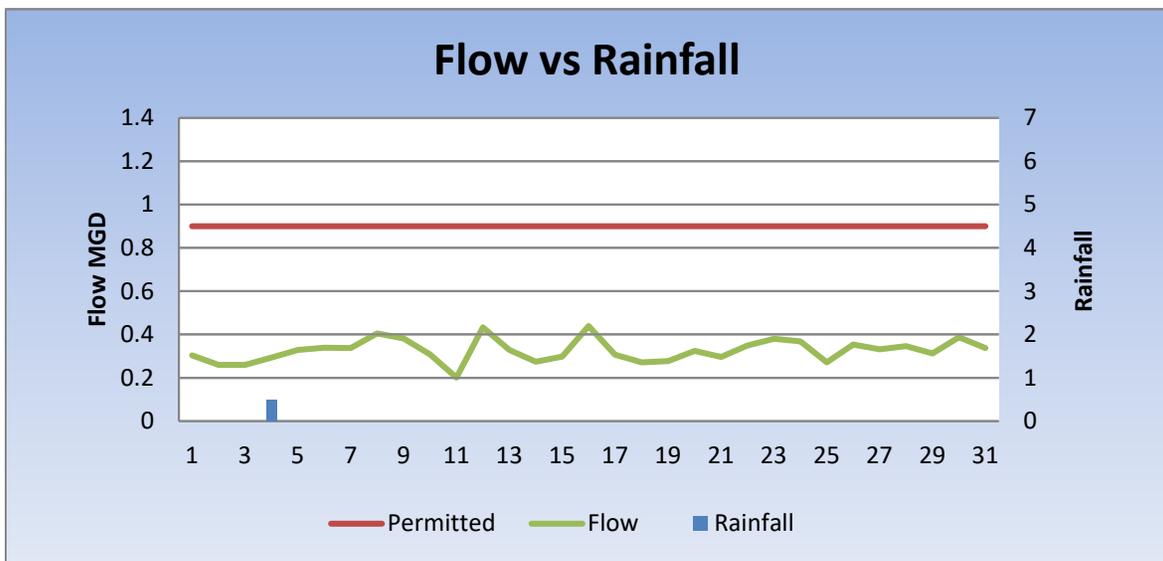
Item 11.

Permit # 14546-001  
Expires: 7/31/2028

Design: 0.900 MGD  
Utilized 57.1%

PARAMETER		UNITS	PERMIT LIMITS	Dec-25 RESULTS	EXCURSION
Dissolved Oxygen:	Min	mg / l	4.0	7.3	0
pH:	Min	S.U.	6.0	7.1	0
pH:	Max	S.U.	9.0	7.8	0
Total Suspended Solids:	Avg	lbs / day	113.0	8.5	0
Total Suspended Solids:	Avg	mg / l	15.0	2.1	0
Total Suspended Solids:	Max	mg / l	40.0	2.4	0
Ammonia:	Avg	lbs / day	23.0	0.6	0
Ammonia:	Avg	mg / l	3.0	0.1	0
Ammonia:	Max	mg / l	10.0	0.2	0
Flow:	Avg	M.G.D.	0.90	0.51	0
2-Hour Peak Flow:	Max	gpm	3.60	0.69	0
Chlorine:	Min	mg / l	1.0	1.7	0
Chlorine:	Max	mg / l	4.0	3.2	0
E.coli:	Avg	CFU/100ml	126	1.0	0
E.coli:	Max	CFU/100ml	399	1.0	0
CBOD:	Avg	lbs / day	75.0	13.5	0
CBOD:	Avg	mg / l	10.0	3.4	0
CBOD:	Max	mg / l	22.0	5.3	0

Permit Excursions:	0	Sanitary Sewer Overflows:	1
Rainfall:	0.5	SSO Gallons:	0



Wastewater Treatment Plant #2  
BC53 Plant

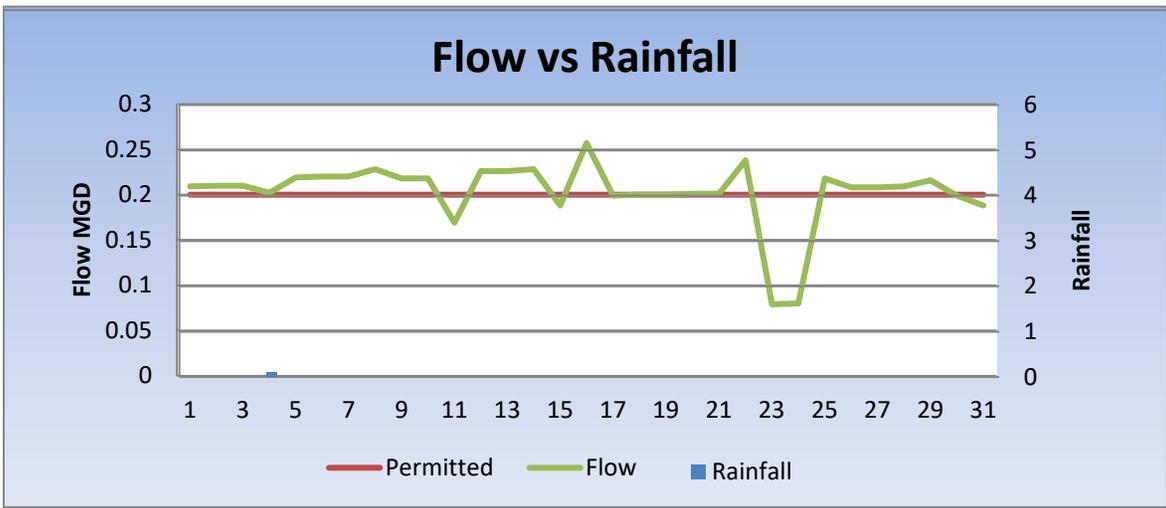
Item 11.

Permit # 15714-001  
Expires: 7/30/2024

Design: 0.200 MGD  
Utilized 101.5%

PARAMETER		UNITS	PERMIT LIMITS	Dec-25 RESULTS	EXCURSION
Dissolved Oxygen:	Min	mg / l	4.0	7.20	0
pH:	Min	S.U.	6.0	7.16	0
pH:	Max	S.U.	9.0	7.31	0
Total Suspended Solids:	Avg	lbs / day	25.0	13.10	0
Total Suspended Solids:	Avg	mg / l	15.0	4.30	0
Total Suspended Solids:	Max	mg / l	60.0	9.80	0
Ammonia:	Avg	lbs / day	5.0	0.41	0
Ammonia:	Avg	mg / l	3.0	0.14	0
Ammonia:	Max	mg / l	15.0	0.20	0
Flow:	Avg	M.G.D.	0.200	0.203	1
2-Hour Peak Flow:	Max	gpm	0.800	0.257	0
Chlorine:	Min	mg / l	1.0	1.06	0
Chlorine:	Max	mg / l	4.0	3.42	0
E.coli:	Avg	CFU/100ml	126.0	1.0	0
E.coli:	Max	CFU/100ml	399.0	1.0	0
CBOD:	Avg	lbs / day	17.0	10.40	0
CBOD:	Avg	mg / l	10.0	3.70	0
CBOD:	Max	mg / l	35.0	4.50	0

Permit Excursions:	1	Sanitary Sewer Overflows:	0
Rainfall:	0.6	SSO Gallons:	0



# City of Iowa Colony Customer Billing Report

Item 11.

	January 11, 2026	December 11, 2025	November 11, 2025
Beginning Date	12/27/2025	11/26/2025	10/29/2025
Closing Date	1/26/2026	12/26/2025	11/25/2025

### Collected Amount

Penalty	\$ 13,736.69	\$ 14,513.17	\$ 9,596.07
Water	\$ 227,495.48	\$ 242,663.29	\$ 188,285.74
Sewer	\$ 113,966.94	\$ 109,571.14	\$ 104,721.91
Garbage Tax	\$ 9,841.33	\$ 9,508.11	\$ 9,461.49
Garbage Collection Fees	\$ 119,096.35	\$ 114,838.90	\$ 113,821.13
Franchise	\$ 17,489.57	\$ 16,561.45	\$ 14,917.91
Voluntary Fire	\$ 17,056.31	\$ 17,107.30	\$ 17,107.18
Grease Trap	\$ 1,886.00	\$ 2,397.64	\$ 2,262.62
Deposit	\$ 10,311.32	\$ 14,016.18	\$ 9,800.00
Transfer Fee	\$ 4,009.75	\$ 5,472.36	\$ 3,976.32
Miscellaneous	\$ 15,866.94	\$ 18,066.16	\$ 12,688.84
<b>TOTAL COLLECTED</b>	<b>\$ 550,756.68</b>	<b>\$ 564,715.70</b>	<b>\$ 486,639.21</b>
<b>OVERPAYMENT</b>	<b>\$ 37,703.06</b>	<b>\$ 25,267.03</b>	<b>\$ 8,651.21</b>
<b>TOTAL COLLECTED</b>	<b>\$ 588,459.74</b>	<b>\$ 589,982.73</b>	<b>\$ 495,290.42</b>

### Billed Amounts

Water	\$ 190,245.97	\$ 227,925.13	\$ 254,921.19
Sewer	\$ 115,357.45	\$ 114,760.82	\$ 114,149.12
Garbage Tax	\$ 9,788.94	\$ 10,126.90	\$ 10,007.90
Garbage	\$ 118,368.00	\$ 122,512.32	\$ 120,990.72
Franchise Fee	\$ 15,272.30	\$ 17,123.39	\$ 18,447.09
Voluntary Fire	\$ 24,204.00	\$ 24,042.00	\$ 23,748.00
Grease Trap	\$ 2,144.00	\$ 2,144.00	\$ 2,144.00
Deposit	\$ 9,475.00	\$ 7,925.00	\$ 12,325.00
Transfer Fee	\$ 3,275.00	\$ 3,200.00	\$ 4,505.00
Miscellaneous	\$ 18,567.60	\$ 9,716.84	\$ 20,680.56
<b>TOTAL BILLED</b>	<b>\$ 506,698.26</b>	<b>\$ 539,476.40</b>	<b>\$ 581,918.58</b>

### Aged Receivables

30 Days Arrears	\$ 122,587.35	\$ 153,580.14	\$ 159,249.88
60 Days Arrears	\$ 40,409.99	\$ 46,572.87	\$ 30,373.21
90 Days Arrears	\$ 22,894.74	\$ 11,132.82	\$ 16,613.22
Over 120 Days Arrears	\$ 54,624.35	\$ 65,002.68	\$ 53,690.19
Previous Month Overpymt	\$ (23,216.82)	\$ (21,414.55)	\$ (12,079.02)
Total Aged Receivables	\$ 217,299.61	\$ 254,873.96	\$ 247,847.48
Current Month Overpymt	\$ (37,544.95)	\$ (24,489.88)	\$ (20,942.74)
<b>TOTAL LESS OVERPYMT</b>	<b>\$ 179,754.66</b>	<b>\$ 230,384.08</b>	<b>\$ 226,904.74</b>
<b>TOTAL RECEIVABLES</b>	<b>\$ 686,452.92</b>	<b>\$ 769,860.48</b>	<b>\$ 808,823.32</b>

<b>Deposit Liabilities</b>	<b>\$ 431,395.00</b>	<b>\$ 429,020.00</b>	<b>\$ 426,345.00</b>
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<b>Average Usage For Meters</b>	5,378	6,657	7,066
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City Of Iowa Colony  
 Connection Report

Item 11.

January-26

	B031	B032	B053	B057	B087	B092	Totals
Occupied Single Family	2132	693	1256	0	180	12	4273
Vacant Single Family	22	16	22	0	1	0	61
Multi-Family	1	1	0	0	0	0	2
Commercial	7	13	4	0	1	0	25
Builder	134	42	33	13	42	63	327
Irrigation	36	39	22	1	11	0	109
Rental Meters	16	0	0	0	0	0	16
District Meters	3	0	0	0	0	0	3
<b>TOTAL CONNECTIONS</b>	<b>2351</b>	<b>804</b>	<b>1337</b>	<b>14</b>	<b>235</b>	<b>75</b>	<b>4816</b>



## FINAL NOTICE

10/17/2025

Recipients	AHMED FAKIR A & TX 77583 or Current ResidentCase 4200 County Road Iowa Colony, TX 77583	PERVINRE No.: 78Officer:	Parcel # 176364 4200 CR 78, Iowa Colony, 25IWA-00031 Sylvia Ardoin
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An inspection on 10/16/2025 of the premises at the above address revealed conditions that violate the City of Iowa Colony municipal code. The following violations were identified.

Violation	Code Section
General fence regulations	Zoning Appendix A, Article V, Sec.55 (a), (1), (a),(i)
Section States: a. General fence regulations. 1. Height restrictions. (a) The following portions of a fence shall not exceed four feet in height: (i) The portion of the fence in front of the front wall of the main building, if any, on the lot, tract, or parcel of land, if there is any building larger than 300 square feet thereon.	

To comply with our current ordinance and to prevent further action, please take the following corrective actions by the dates indicated.

Violation	Correct Violation By
General fence regulations	10/31/2025
Corrective Action: <b>FINAL NOTICE:</b> Please modify the front portion of the fence to comply with the 4 feet in height city ordinance within 10 (ten) days of receipt of this notice.  <b>If failure to comply, may result in charges filed against you in Municipal Court and/or the City abating or causing the abatement of the violations and the City filing a lien on your property for the costs incurred.</b>	

For additional information, please contact your Code Enforcement Officer between the hours of 8am and 5pm Monday through Friday.

Sincerely,

*Sylvia Ardoin*  
Sylvia Ardoin

Code Enforcement Officer

SArdoin@safebuilt.com  
(832) 334-7659





2025-09-04 DSCF0892.JPG



Item 12.

2025-09-04 DSCF0890.JPG



2025-09-04 DSCF0891.JPG



2025-09-04 DSCF0893.JPG



2025-10-16 DSCF1665.JPG



2025-10-16 DSCF1663.JPG



2025-10-16 DSCF1664.JPG



2025-10-16 DSCF1666.JPG



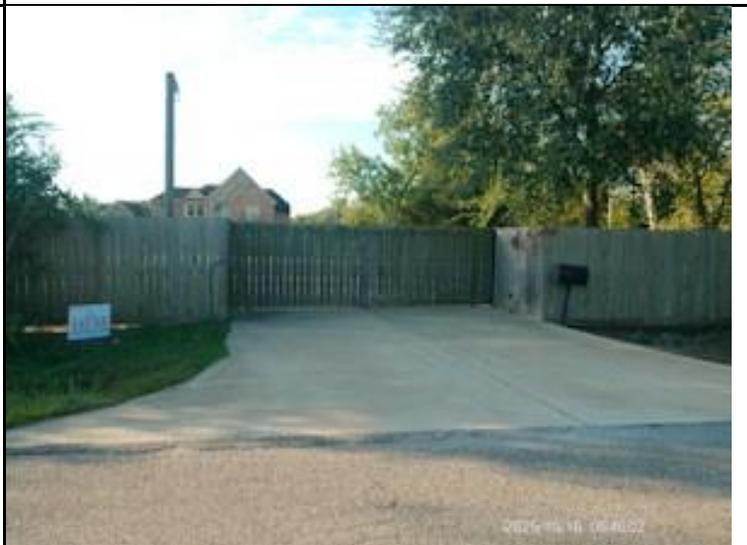
2025-10-16 DSCF1667.JPG



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2025-10-16 DSCF1663.JPG



## IOWA COLONY CODE COMPLIANCE OFFICE

3144 Meridiana Parkway  
Iowa Colony, TX 77583

Albert Cantu, CCO

Office Phone: (346) 395-4551 cell Phone: (346) 686-7479 Email:  
acantu@iowacolonytx.gov Website: iowacolonytx.gov

### VIOLATION NOTICE

February 26, 2025

Ahmed Fakir A & Pervin  
4200 County Road 78  
Iowa Colony, TX 77583

To whom it may concern,

It is found that your property is in violation of City of Iowa Colony Codes of Ordinance- Unified Development Code, Chapter 3, Division 2 Section 3.3.2.1 Fencing Allowed

Section- (b) Fences permitted in front yard(s) adjacent to a public street. (1) Except as provided by subsection (b) (2) (decorative fences) below, no fence or wall shall be permitted within the required front yard of any single-family or duplex residential lot which is adjacent to a public street. **No residential fence shall be closer than 15 feet to a public street**; however, in cases where the side or rear building line of the yards on continuous corner lots adjoin (i.e., the side yard lot is not a key corner lot), the fence may be constructed out to the property line of the side yard, such that the street side yard may be included as part of the lot's rear yard area.

The front portion of the fence facing the public street shall be removed within 14 days of this letter. A fine may be imposed for up to \$2000.00 each day that this property is found to be in violation.

After receiving a complaint, the above violation has been noted on the property. As these conditions are contrary to the law, **YOU ARE HEREBY ORDERED** to abate and remedy the said conditions above immediately upon receipt or posting of this notice. To prevent further action by the city we will conduct a follow-up inspection on or after March 13, 2025, to check for compliance. If more information is needed, contact (346) 395-4551.

We realize that some citizens may not be aware of various City ordinances and state laws regarding their property and its surroundings that are in violation of these laws. Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office.

Thanks,



Ambrosia Hicks,  
Code Compliance Officer

March 13, 2025

Iowa Colony Code Compliance

3144 Meridiana Blvd

Iowa Colony, Tx 77583

ATTENTION Albert Cantu:

c

First let me apologize for the delayed response to this letter. I just returned to the US after extended work related time out of the Country so just now reviewed the mail.

1. First of all my fence was built in 2017 and was built 10' inside my property as I was told to do at the time. Eight years is too long to wait to enforce ordinances. We should have been stopped while in process of building, not almost a decade later.
2. In driving around rural Iowa Colony where I live, it appears that ALL fences are either on property lines or within 10'. If a complaint was filed please provide a copy of the complaint per open records act.
3. A few years ago I gave my daughter a portion of my property that also has the same fence across it. We spent almost \$15,000 in the platting process per City requirements and all Council, Engineer and City Staff approved and signed off on the platting. Why was the fence not mentioned then?
4. The fence does not obstruct drainage and I have no word of the road widening so what is the purpose of such a costly requirement?
5. Moving the fence is a very costly hardship that seems to serve no purpose. It is enough that we pay high taxes yet have no services here. What IS the purpose of this demand?

Sincerely,

Fakir Ahmed

4200 County Road 78

Iowa Colony, Tx 77583

██████████

Cc: Mayor Wil Kennedy, Council, City Attorney





# IOWA COLONY CODE COMPLIANCE OFFICE

Item 12.

3144 Meridiana Parkway  
Iowa Colony, TX 77583

**Albert Cantu, CFM**

Office Phone: (346) 395-4551  
Email: [acantu@iowacolonytx.gov](mailto:acantu@iowacolonytx.gov)

Cell Phone: (346) 278-9218  
Website: [iowacolonytx.gov](http://iowacolonytx.gov)

March 26, 2025

Ahmed Fakir A & Pervin  
4200 County Road 78  
Iowa Colony, TX 77583

To Whom It May Concern,

After reviewing the City of Iowa Colony ordinances, it has been determined that this property is in violation of the following regulations:

- **Appendix A – Zoning Ordinance, Article V, Performance Standards, Section 55 – Fences.** This ordinance was adopted on August 14, 2014.

**-AND-**

- **Appendix B – Unified Development Code, Chapter 3, Article 3 – Screening and Fencing, Division 2 – Fencing, Section 3.3.2.1 – Fencing Allowed.** This ordinance was adopted on May 15, 2014.

Based on available documentation and Google Earth imagery, the fence in question was constructed after the adoption of the ordinance on May 15, 2017, which places it under the jurisdiction of these ordinances.

### **Required Action:**

The front portion of the fence facing the public street must be removed by **April 14, 2025**. Failure to comply may result in a fine of up to **\$2,000 per day** until the violation is corrected.

### **Compliance Deadline & Follow-Up Inspection:**

To avoid further action by the city, compliance must be achieved immediately upon receipt of or posting of this notice. A follow-up inspection will be conducted on or after **April 14, 2025**, to verify that the violation has been remedied.

If you require additional information, please contact Albert Cantu.

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**Appendix A- Zoning Ordinance Article V Performance Standards Section 55- Fences subsection a-1, and a-3.**

a) *General fence regulations.*

1. Height restrictions.

(a) The following portions of a fence shall not exceed four feet in height:

- i. The portion of the fence in front of the front wall of the main building, if any, on the lot, tract, or parcel of land, if there is any building larger than 300 square feet thereon.

3. Grandfather exception for lawful nonconforming uses.

- i. Except as otherwise provided herein, fences are subject to the same regulations as other structures concerning nonconforming uses. This subsection 55.a (general fence regulations) is enacted on August 18, 2014.
- ii. However, if a fence or portion of a fence is built after August 18, 2014, and if the existence or location of a structure on that property is later changed so that the fence then becomes unlawful, then the fence is not a lawful nonconforming use, and the fence must be modified or removed as necessary to comply with this ordinance, within 30 days after it becomes unlawful.

**Appendix B** – Unified Development Code, Chapter 3, Article 3 – Screening and Fencing, Division 2 – Fencing, Section 3.3.2.1 – Fencing Allowed.

(b) *Fences permitted in front yard(s) adjacent to a public street.*

- 1) Except as provided by subsection (b)(2) (decorative fences) below, no fence or wall shall be permitted within the required front yard of any single-family or duplex residential lot which is adjacent to a public street. No residential fence shall be closer than 15 feet to a public street; however, in cases where the side or rear building line of the yards on continuous corner lots adjoin (i.e., the side yard lot is not a key corner lot), the fence may be constructed out to the property line of the side yard, such that the street side yard may be included as part of the lot's rear yard area.
- 2) Decorative fences. Decorative fences with openings not less than 50 percent of the fence area and not exceeding four feet in height are permitted in front yards. Chain link, woven wire mesh metal panel, or similar materials are not considered decorative fencing, and are therefore not allowed in front yards.

Sincerely,

Albert Cantu,  
Code Compliance Supervisor  
City of Iowa Colony

*Staff Report*

**Agenda Date:** January 5, 2026

**Agenda Item:** Variance Request Fakir A & Pervin Ahmed- 4200 County Road 48, Iowa Colony, TX 77583

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**Project Description:** Variances to regulations of the Zoning Ordinance, Article V, Performance Standards, Section 55 – Fences and the Unified Development Code pertaining to Screening and Fencing Appendix B, Ch.3, Article 3, Division 2, Sec,3.3.2.1 (b), (2)

**Zoning Designation:** Single Family Residential

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**Building Official:** Albert Cantu

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**SUMMARY**

This request was made by Fakir Ahmed for a variance to Zoning Ordinance, Article V, Performance Standards, Section 55 – Fences and the Unified Development Code pertaining to Screening and Fencing Appendix B, Ch.3, Article 3, Division 2, Sec,3.3.2.1 (b), (2)

**Zoning Ordinance, Article V, Performance Standards, Section 55 – Fences**

- a. General fence regulations.
  1. Height restrictions.
    - a) The following portions of a fence shall not exceed four feet in height:
      - i. The portion of the fence in front of the front wall of the main building, if any, on the lot, tract, or parcel of land, if there is any building larger than 300 square feet thereon; and
      - ii. The portion of the fence that is closer to any street right-of-way than the applicable yard requirement or building setback line under the zoning ordinance, subdivision ordinance, or any other applicable law.
    - b) A portion of a fence not subject to the four-foot height limit under this subsection [subsection a.1(a)] (height restrictions) shall not exceed eight feet in height.
    - c) Agricultural exception. The fence height regulations under subsection a.1[(a)] (height restrictions) shall not apply to an otherwise lawful fence that is both:
      - i. Lawfully placed or used to turn, halt, or contain livestock, regardless whether livestock is temporarily absent from the property; and
      - ii. Constructed of barbed wire, hog wire, or similar materials that make the completed fence about as transparent as a barbed wire or hog wire fence, but not chicken wire, cyclone fence wire, or similar

materials that make a completed fence about as much of a visual obstruction as a cyclone fence or chicken wire fence, due to having a mesh size generally similar to a cyclone fence or chicken wire.

- d) Lawful junkyard exception. The fence height regulations under [this] subsection a.1 (height restrictions) shall not apply to an otherwise lawful fence around a lawful junkyard or lawful salvage yard.
2. Fencing materials.
    - i. Without a specific use permit granted by the city council, no fence shall be wholly or partly constructed of concertina wire.
    - ii. No sharp or broken glass shall protrude from any surface of any fence. This paragraph does not prohibit the decorative use of unbroken glass that is not sharp enough to cut human flesh.
  3. Grandfather exception for lawful nonconforming uses.
    - i. Except as otherwise provided herein, fences are subject to the same regulations as other structures concerning nonconforming uses. This subsection 55.a (general fence regulations) is enacted on August 18, 2014.
    - ii. However, if a fence or portion of a fence is built after August 18, 2014, and if the existence or location of a structure on that property is later changed so that the fence then becomes unlawful, then the fence is not a lawful nonconforming use, and the fence must be modified or removed as necessary to comply with this ordinance, within 30 days after it becomes unlawful.
- b. [Screening fences required.] When there is a common side or rear lot line or lot lines between land being used in a manner that would be prohibited in a SFR zone (herein called the "nonresidential land," regardless how zoned), and land being used for a single family residence (herein called "the residential land," regardless how zoned), the owner of said nonresidential land shall erect a fence that properly screens adjacent residential land from adverse influences such as noise, vehicular lights, trespass, and other adverse influences. However, if the nonresidential use is in place before the single-family residential use, such fence is not required. Such fence shall be at least eight feet but not more than ten feet in height and shall form a solid continuous screen between the residential and nonresidential land. The fence required by this paragraph shall extend along the entire boundary line between the residential and nonresidential land, except for the portion of that boundary that is closer to any street right-of-way than the applicable yard requirement or building setback line under the zoning ordinance, subdivision ordinance, or any other applicable law. Each such screening fence shall be maintained in good condition by the person required to provide the fence. The obligation to provide and maintain the fence shall run with the land. This subsection applies according to how the land is actually used, not according to how the land is zoned, and not to unused land.

**Unified Development Code Screening and Fencing Appendix B, Ch.3, Article 3, Division 2, Sec.3.3.2.1 (b), (2)**

**Sec. 3.3.2.1. Fencing allowed.**

- a. Fences in residential areas/districts, except multiple family.
  1. Materials permitted. Fences may be constructed of approved wood, decorative metal, chain link or woven wire mesh, and other materials traditionally used in

private fence construction. New and innovative materials such as plastics, PVCs, metal panel or metal slat, "honeycomb," cementitious fiber board (e.g., "WoodCrete"), and other similar materials may be approved for use by the city's building official if the material is proven to be sturdy, durable and relatively maintenance-free.

**b. Fences permitted in front yard(s) adjacent to a public street.**

1. Except as provided by subsection (b)(2) (decorative fences) below, no fence or wall shall be permitted within the required front yard of any single-family or duplex residential lot which is adjacent to a public street. No residential fence shall be closer than 15 feet to a public street; however, in cases where the side or rear building line of the yards on continuous corner lots adjoin (i.e., the side yard lot is not a key corner lot), the fence may be constructed out to the property line of the side yard, such that the street side yard may be included as part of the lot's rear yard area.
2. **Decorative fences. Decorative fences with openings not less than 50 percent of the fence area and not exceeding four feet in height are permitted in front yards. Chain link, woven wire mesh metal panel, or similar materials are not considered decorative fencing, and are therefore not allowed in front yards.**

**Variance Request:**

1. The ordinance itself is flawed and not written for rural properties. To attempt to conform to an ordinance written for subdivisions is an extreme on myself and all citizens in rural Iowa Colony. The fence is comparative to other properties in the neighborhood.

2. At the time the fence was built the primary consideration was safety for my family. At that time my wife, daughters and I made regular trips every summer to Bangladesh, and a privacy fence kept people from seeing that cars were not moving or lawn not as well cared for indicating no one was home. Although we have neighbors and people who checked on the house, the privacy fence kept the house vacant from being known by people passing by. In addition, being Muslim we wanted our daughters to have the freedom of wearing shorts or swimsuits (we have a pool) in their own yard without peering eyes.

3. Lastly, we have cattle and the privacy fence keeps the wet weather unsightly trampling from view. In addition, it seems cattle rustling is still a crime being committed in Brazoria County and in Texas, so such thieves are not able to see inside the fence that we have prime Angus cattle. We have also heard of cattle being shot in their pasture. If the fence were cut to 4' or less as in one letter saying cut over 50% making it 3', the cattle would get out.

At the time the fence was built 8 years ago, these were my concerns and they are the same today. We had no way to know of this UDC ordinance despite being at City Hall on a regular basis while building a home. No one told us about this ordinance, it was not online as it is today and permits for fences were not and are still not required.

The financial hardship created as well for removing this fence, relocating our cattle and all that would be required to comply with these requirements is unreasonable considering almost EVERY fence in rural Iowa Colony is in some way NON COMPLIANT.

**RECOMMENDATION**

Staff recommend that the variance **NOT** be granted due to not meeting the criteria required for approval of a variance under the City's zoning and fencing regulations. Specifically, the request does not demonstrate a hardship unique to the property that is not self-imposed, nor does it meet the intent of the ordinance to protect public safety, maintain neighborhood character, and ensure consistent application of City standards.

The proposed fence, as submitted, does not comply with the applicable requirements related to [height, placement, visibility, material, and approval of the variance would constitute a deviation from established regulations without sufficient justification.

*Albert Cantu*

Albert Cantu, Building Official

Images



2025-09-04 DSCF0892.JPG



2025-09-04 DSCF0890.JPG



2025-09-04 DSCF0891.JPG



2025-09-04 DSCF0893.JPG



2025-10-02 DSCF1301.JPG



2025-10-02 DSCF1302.JPG



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS  
GRANTING A WAIVER AND VARIANCE TO FENCING REGULATIONS  
AT 4200 COUNTY ROAD 78; WITH RELATED PROVISIONS**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
OF IOWA COLONY, TEXAS:**

**SECTION 1. Findings of Fact**

- a. The Planning and Zoning Commission has made a report to the City Council concerning this variance.
- b. The City Council has determined that a waiver or variance should be granted as herein provided, because the criteria in Section 3.3.2.1 of the Unified Development Code and Section 55 – Fences of the Zoning Ordinance have been satisfied.
- c. All requirements of law concerning this ordinance and the waiver and variance herein granted have been satisfied.

**SECTION 2. Legal Requirements**

Section 3.3.2.1 of the Iowa Colony Unified Development Code provides:

(b) *Fences permitted in front yard(s) adjacent to a public street.*

(1) Except as provided by subsection (b)(2) (decorative fences) below, no fence or wall shall be permitted within the required front yard of any single-family or duplex residential lot which is adjacent to a public street. No residential fence shall be closer than 15 feet to a public street; however, in cases where the side or rear building line of the yards on continuous corner lots adjoin (i.e., the side yard lot is not a key corner lot), the fence may be constructed out to the property line of the side yard, such that the street side yard may be included as part of the lot's rear yard area.

(2) Decorative fences. Decorative fences with openings not less than 50 percent of the fence area and not exceeding four feet in height are permitted in front yards. Chain link, woven wire mesh metal panel, or similar materials are not considered decorative fencing, and are therefore not allowed in front yards.

Section 55 – Fences of the Zoning Ordinance provides:

1. *Height restrictions.*

(a) The following portions of a fence shall not exceed four feet in height:

i. The portion of the fence in front of the front wall of the main building, if any, on the lot, tract, or parcel of land, if there is any building larger than 300 square feet thereon; and

ii. The portion of the fence that is closer to any street right-of-way than the applicable yard requirement or building setback line under the zoning ordinance, subdivision ordinance, or any other applicable law.

*3. Grandfather exception for lawful nonconforming uses.*

i. Except as otherwise provided herein, fences are subject to the same regulations as other structures concerning nonconforming uses. This subsection 55.a (general fence regulations) is enacted on August 18, 2014.

ii. However, if a fence or portion of a fence is built after August 18, 2014, and if the existence or location of a structure on that property is later changed so that the fence then becomes unlawful, then the fence is not a lawful nonconforming use, and the fence must be modified or removed as necessary to comply with this ordinance, within 30 days after it becomes unlawful.

### **SECTION 3. Background**

The City has received an application for a variance from the above provision for the fence located at 4200 County Road 78. The background is more fully stated in the Staff Report attached hereto and incorporated herein in full.

### **SECTION 4. Grant of Waiver and Variance**

Accordingly, the City Council hereby grants a waiver and variance to the requirements of Chapter 3, Division 2 Section 3.3.2.1 Fencing Allowed of the Uniform Development Code and Article V, Performance Standards, Section 55 – Fences concerning the fence at 4200 County Road 78; provided, however, that this variance is granted:

- a.** only to the extent shown in the **attached drawing(s)**;
- b.** but only to the extent stated in the **Staff Report attached hereto**;
- c.** in reliance upon the statements of fact in the **attached Application for Variance Request or Appeal** filed in this matter; and
- d.** subject to any conditions or limitations stated in the Staff Report.

### **SECTION 5. Savings Clause**

The Unified Development Code, Zoning Ordinance and all other ordinances of the City shall remain in full force and effect except as specifically provided herein.

**SECTION 6. Severance Clause**

If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

**SECTION 7. Effective Date**

This ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED ON FEBRUARY 23, 2026.

**CITY OF IOWA COLONY**

By: \_\_\_\_\_  
**WIL KENNEDY, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KAYLEEN ROSSER, CITY SECRETARY**

APPLICATION  
AND  
STAFF REPORT

ATTACHMENTS TO ORDINANCE GRANTING  
VARIANCE TO CERTAIN PROVISIONS OF  
UNIFIED DEVELOPMENT CODE AND ZONING  
ORDINANCE  
FOR 4200 COUNTY ROAD 78



**Permit #:** 7183  
**Permit Date:** 10/22/25  
**Permit Type:**  
**Permit Type:** Variance Request  
**Residential or Commercial:** Residential  
**Flood Plain:**  
**Owner Name:** FAKR A AHMED & PERVIN AHMED  
**Address:** 4200 COUNTY ROAD 78  
**City, State, ZIP:** IOWA COLONY TX 77583  
**Owner Phone Number:** [REDACTED]  
**Applicant Email:** [REDACTED]  
**Description:** VARIANCE TO THE ZONING ORDINANCE  
**Project Cost:** 0  
**Number of Bathrooms:** 0.0  
**Number of Bedroom:** 0  
**Number of Garage Bays:** 0  
**Number of Stories:** 0  
**Living Area SQF:** 0  
**Garage Area SQF:** 0  
**Total SQF:** 0  
**Parcel Address:** 4200 COUNTY ROAD 78  
**Status:** Pending  
**Assigned To:**

**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
05170005000	4200 COUNTY ROAD 78	ABST - 517 SUBD - Emigration Land Co, A-517 Tract - 120	AHMED FAKIRA & PERVIN		

**Fees**

Fee	Description	Notes	Amount
VARIANCE REQUESTS			\$1,000.00
		<b>Total</b>	<b>\$1,000.00</b>

**Attached Letters**

Date	Letter	Description
10/22/2025	<a href="#">Web Form - New Home Permits Application</a>	

**Payments**

Date	Paid By	Description	Payment Type	Accepted By	Amount
10/22/2025	JANNATUL FERDOWS / FAKIR A AHMED		CHECK # [REDACTED]	Rachel Patterson	\$1,000.00
				<b>Outstanding Balance</b>	<b>\$0.00</b>



# CITY OF IOWA COLONY

**Permit #: 7183**

**Permit Type:**

**Address:**

**City:**

**State:**

**Zip:**

**Owner:**

**Owner Address:**

**Owner City:**

**Owner State:**

**Owner Zip:**

**Owner Phone:**

**Owner Email:**

**Receipt #: 11796**

**Date: 10/22/2025**

**Paid By: JANNATUL FERDOWS / FAKIR A AHMED**

**Description:**

**Payment Type: Check**

**Payment Type Description: CHECK # [REDACTED]**

**Accepted By: Rachel Patterson**

**Fees Paid**

Fee Name	Fee Type	Description	Factor	Total Fee Amount	Amount Paid
VARIANCE REQUESTS	City Planning		0.00	1,000.00	1,000.00
				<b>Total:</b>	<b>\$1,000.00</b>



# xAPPLICATION FOR VARIANCE REQUEST or APPEAL

3144 MERIDIANA PKWY, IOWA COLONY, TEXAS 77583 | PHONE: 281-369-2471 | FAX: 281-369-0005 | [WWW.IOWACOLONYTX.GOV](http://WWW.IOWACOLONYTX.GOV)

Please use this application to request a variance/appeal within the Subdivision Ordinance, Zoning Ordinance, Unified Development Code (UDC) and Sign Ordinance. An Application for Variance Request/Appeal shall be considered by Planning Commission and Planning Commission shall make a recommendation to City Council, who has the authority to grant or deny variance requests. Considerations are made at the monthly Planning Commission and City Council meetings. Refer to the [www.iowacolonytx.gov](http://www.iowacolonytx.gov) for Planning Commission and City Council scheduled meeting dates and all ordinances and development guidelines affecting the City. Provide hard copies and digital files (cd or flash drive) of application and any supporting documentation to the City Secretary. This application may be used for several requests but only one property or one section of a subdivision. The application fee for Variance Requests/Appeal is \$1,000, due at the time of submission and is non-refundable. Applications received without the required fee shall be considered incomplete.

TYPE OF VARIANCE REQUEST (SELECT ONE):  ZONING  UDC  ZONING ORDINANCE  SIGN ORDINANCE  APPEAL

### APPLICANT INFORMATION:

Name of Applicant: Fakir A. Ahmed and wife Pervin Ahmed

Address of Applicant: 4200 County Road 78, Iowa Colony, Texas Phone: 832-679-5696 email is best due to time zones and out of country, or call my agent, Carolyn Bowen, 281-989-3486.

[Redacted] Email: \_\_\_\_\_

Name Faki A. Ahmed and Pervin Ahmed of 4200 Iowa Colony, Tx Owner:

Address of Owner: 4200 County Road 78, Iowa Colony, Tx

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### PROPERTY INFORMATION:

Address 4200 County Rd 78 of Rural Iowa Colony Subject Fence Property:

8,34AC Legal HT&BRR Abstract 517 Lot 120 Description of Subject Property:

Brazoria County Tax 0517-0005-000 No(s):

Current Zoning: residential Water and Sanitary Serviced by:

Private well and septic

Street Frontage Type (Circle One): Private or Public  
Number: \_\_\_\_\_

FIRM Map Panel

**VARIANCE REQUEST/APPEAL INFORMATION:** Requestor must identify specific Chapter and Section of the Subdivision Ordinance, Zoning Ordinance, Unified Development Code or Sign Ordinance that the Variance Request applies to. If additional space is needed, please attach to this application.

- Zoning Appendix A, Article V, Sec.55 (a), (1), (a),(i)

or \_\_\_\_\_ Code: \_\_\_\_\_

Request \_\_\_\_\_ and reason: \_\_\_\_\_ the  
\_\_\_\_\_ exempt \_\_\_\_\_

List \_\_\_\_\_ Ordinance \_\_\_\_\_ or \_\_\_\_\_ Code: \_\_\_\_\_

Request Variance and Abate Citations reason: \_\_\_\_\_

built 8 yrs ago, it is compatible with a req, varied demands  
on Citation letters Complaint made with hidden agenda, not the  
List \_\_\_\_\_ of \_\_\_\_\_ supplemental \_\_\_\_\_ documentation \_\_\_\_\_ provided: Fence

Copies of 4 letters from code enforcement, written and recorded responses, photos of previous fence replaced, photos of other fences in the area.

Note: owner is out of USA until 1<sup>st</sup> Dec 2026.

Planning Commission Date Requested: January 2026 City Council Date Requested January 2026

Razvi Ahmed  
Requestor \_\_\_\_\_ Signature R Ahmed or \_\_\_\_\_ Owner \_\_\_\_\_ and \_\_\_\_\_ Date: \_\_\_\_\_

**FOR CITY USE ONLY:** Application Received By: \_\_\_\_\_ Date Received: \_\_\_\_\_

Planning Commission Date: \_\_\_\_\_ Fee Received: \_\_\_\_\_

City Council Date: \_\_\_\_\_ Notifications Required:  Published Notice  
 Public Hearing

Date Approved or Denied: \_\_\_\_\_  Posting on Property (applicant  
responsibility)  Personal Notice

Project No.: \_\_\_\_\_  Written Notice of Decision

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF IOWA COLONY, TEXAS, AUTHORIZING THE RELEASE OF CERTAIN PROPERTY FROM THE CITY’S EXTRATERRITORIAL JURISDICTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CHAPTER 42, SUBCHAPTER D; PROVIDING FINDINGS OF FACT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Chapter 42, Subchapter D of the Texas Local Government Code authorizes the release of land from a municipality’s extraterritorial jurisdiction upon petition of the landowner(s); and

**WHEREAS**, pursuant to Texas Local Government Code § 42.101 et seq., an owner or owners of land located within the extraterritorial jurisdiction (“ETJ”) of a municipality may petition the municipality for release of such land from the ETJ; and

**WHEREAS**, the City Council of the City of Iowa Colony has received a petition requesting release of certain real property located within the City’s ETJ, such property being more particularly described as attached hereto and incorporated herein for all purposes (the “Property”); and

**WHEREAS**, the City Council finds that the petition complies with the requirements of Texas Local Government Code, Chapter 42, Subchapter D; and

**WHEREAS**, the City Council finds that it is in the best interest of the City of Iowa Colony to release the Property from its extraterritorial jurisdiction pursuant to Texas Local Government Code, Chapter 42, Subchapter D.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:**

**SECTION 1.** That the foregoing recitals are hereby found to be true and correct and are incorporated into the body of this Resolution as findings of fact.

**SECTION 2.** That Pursuant to Texas Local Government Code, Chapter 42, Subchapter D, the Property attached is hereby released from the extraterritorial jurisdiction of the City of Iowa Colony.

**SECTION 3.** That the City Secretary is authorized and directed to file a certified copy of this Resolution and update any official ETJ boundary records maintained by the City, and to provide copies as required by law.

**SECTION 4.** That it is officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**PASSED AND APPROVED ON THIS 23<sup>th</sup> DAY OF FEBRUARY 2026.**

**CITY OF IOWA COLONY**

\_\_\_\_\_  
**Wil Kennedy, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kayleen Rosser, City Secretary**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF IOWA COLONY, TEXAS, AUTHORIZING THE RELEASE OF CERTAIN PROPERTY FROM THE CITY’S EXTRATERRITORIAL JURISDICTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CHAPTER 42, SUBCHAPTER D; PROVIDING FINDINGS OF FACT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Chapter 42, Subchapter D of the Texas Local Government Code authorizes the release of land from a municipality’s extraterritorial jurisdiction upon petition of the landowner(s); and

**WHEREAS**, pursuant to Texas Local Government Code § 42.101 et seq., an owner or owners of land located within the extraterritorial jurisdiction (“ETJ”) of a municipality may petition the municipality for release of such land from the ETJ; and

**WHEREAS**, the City Council of the City of Iowa Colony has received a petition requesting release of certain real property located within the City’s ETJ, such property being more particularly described as attached hereto and incorporated herein for all purposes (the “Property”); and

**WHEREAS**, the City Council finds that the petition complies with the requirements of Texas Local Government Code, Chapter 42, Subchapter D; and

**WHEREAS**, the City Council finds that it is in the best interest of the City of Iowa Colony to release the Property from its extraterritorial jurisdiction pursuant to Texas Local Government Code, Chapter 42, Subchapter D.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:**

**SECTION 1.** That the foregoing recitals are hereby found to be true and correct and are incorporated into the body of this Resolution as findings of fact.

**SECTION 2.** That Pursuant to Texas Local Government Code, Chapter 42, Subchapter D, the Property attached is hereby released from the extraterritorial jurisdiction of the City of Iowa Colony.

**SECTION 3.** That the City Secretary is authorized and directed to file a certified copy of this Resolution and update any official ETJ boundary records maintained by the City, and to provide copies as required by law.

**SECTION 4.** That it is officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**PASSED AND APPROVED ON THIS 23<sup>th</sup> DAY OF FEBRUARY 2026.**

**CITY OF IOWA COLONY**

\_\_\_\_\_  
**Wil Kennedy, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kayleen Rosser, City Secretary**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF IOWA COLONY, TEXAS, ACKNOWLEDGING THE RELEASE OF CERTAIN PROPERTY FROM THE CITY’S EXTRATERRITORIAL JURISDICTION BY OPERATION OF LAW PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CHAPTER 42, SUBCHAPTER D; PROVIDING FINDINGS OF FACT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Chapter 42, Subchapter D of the Texas Local Government Code authorizes the release of land from a municipality’s extraterritorial jurisdiction upon petition of the landowner(s); and

**WHEREAS**, pursuant to Texas Local Government Code § 42.105(d) if a municipality does not take action to release the property by the later of (1) the 45th day after receipt of the petition or (2) the next meeting of the governing body occurring after the 30th day following receipt, the property is released from the municipality’s extraterritorial jurisdiction by operation of law; and

**WHEREAS**, the City Council of the City of Iowa Colony has received a petition requesting release of certain real property located within the City’s ETJ, such property being more particularly described as attached hereto and incorporated herein for all purposes (the “Property”); and

**WHEREAS**, pursuant to the statutory timeline established in Texas Local Government Code § 42.105(d), the Property was released from the City’s extraterritorial jurisdiction by operation of law upon expiration of the applicable statutory deadline; and

**WHEREAS**, the City Council finds it appropriate to formally acknowledge the release for ministerial clarification and record-keeping purposes.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:**

**SECTION 1.** That the foregoing recitals are hereby found to be true and correct and are incorporated into the body of this Resolution as findings of fact.

**SECTION 2.** That the City Council hereby acknowledges that the Property described as attached was released from the extraterritorial jurisdiction of the City of Iowa Colony by operation of law pursuant to Texas Local Government Code § 42.105(d).

**SECTION 3.** That this Resolution does not constitute discretionary approval of the release but serves solely as formal acknowledgment of a release that occurred automatically under Texas Local Government Code, Chapter 42, Subchapter D.

**SECTION 4.** That the foregoing recitals are hereby found to be true and correct and are incorporated into the body of this Resolution as findings of fact.

**SECTION 5.** That it is officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**PASSED AND APPROVED ON THIS 23<sup>th</sup> DAY OF FEBRUARY 2026.**

**CITY OF IOWA COLONY**

---

**Wil Kennedy, Mayor**

**ATTEST:**

---

**Kayleen Rosser, City Secretary**

Tuesday, January 27, 2026

Mayra Hernandez  
Quiddity Engineering  
2322 W. Grand Pkwy N., Suite 150  
Katy, TX 77449  
[mahernandez@quiddity.com](mailto:mahernandez@quiddity.com)

Re: Sierra Vista West Plan of Development - Amendment No. 3  
CWT Sierra, LP  
Letter of Recommendation to Approve  
Adico, LLC Project No. 16007-2-260

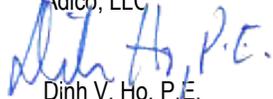
Dear Ms. Hernandez:

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the Request for Amendment No. 3 to the Sierra Vista West Plan of Development, from Quiddity Engineering, on behalf of CWT Sierra, LP, received on or about January 20, 2026. The review is based on the City of Iowa Colony Subdivision Ordinance No. 2019-09 dated August 2002, and as amended.

Based on our review, we have no objection to the Request for Amendment No. 3 to the Sierra Vista West Plan of Development. The Amendment No. 3 will be on the February 3, 2026, Planning and Zoning meeting agenda.

Should you have any questions, please do not hesitate to call.

Sincerely,  
Adico, LLC



Dinh V. Ho, P.E.  
TBPE Firm No. 16423

Cc: Kayleen Rosser, COIC  
Natasha Brooks  
File: 16007-2-260

**EXHIBIT B**  
**PLAN OF DEVELOPMENT**  
**Sierra Vista West**

**A. Introduction.**

1. The property is comprised of approximately 269.44 acres and is part of the 501.92 acres that is currently being developed as Sierra Vista West. Sierra Vista West, Sections One through Five, consisting of 232.48 acres have previously been approved by Brazoria County. This area contains a total of 886 lots, minimum fifty (50) feet wide and is identified as “vested property”, or “VP” on the exhibits and text included in the Plan of Development. The remaining 269.44 acres subject to this Plan of Development is planned for residential uses with community facilities featuring an 8.7 acre recreation reserve, resort style “lazy river” and other general recreational facilities such as parks, lakes, trails, open space.
2. This PD includes the following sections:
  - A. Introduction
  - B. General Provisions
  - C. Land Uses
  - D. Development Regulations
    - D1. Development Regulations for Single Family Lots
    - D2. Development Regulations for “Condominiums” Single Family Residential
    - D3. Development Regulations for 50 feet Single Family Residential-Section 11.
  - E. Parks, Recreation and Trails
  - F. Landscape
  - G. School Site
  - H. Street Plan & Cross-Sections
  - I. Project Phasing

**B. General Provisions.**

1. The PD approved herein must be constructed, developed, and maintained in compliance with this Agreement, the Development Agreement dated November 2019 and other applicable ordinances of the City. In the event of discrepancies between the text of this document and the exhibits attached, the text shall prevail.

2. The project shall be developed in accordance with the following figures that are attached to and made part of this PD:

Figure 1	Boundary Exhibit
Figure 1a	Jurisdiction Map
Figure 2	General Development Plan
Figure 2a	50' Lot Single Family Residential and Recreation Center
Figure 3	Contributing Landscape and Open Space Plan
Figure 4	Thoroughfare Exhibit
Figure 5	Street cross section for Spine Road (Divided)
Figure 6	Street cross section for Spine Road (Divided) with Shared Use Trail
Figure 7	Street cross section for Spine Road, (Undivided)
Figure 8	Street cross section for Spine Road (Undivided) with Shared Use Trail
Figure 9	Phasing Plan of Development
Figure 10	Condominium- Single Family Residential Site Plan
Figure 11	Perimeter Fencing and Screening
Figure 12	Contributing Landscape and Open Space Plan
Figure 13	Amenity Center Site Plan
Figure 13a	Amenity Center Views
Figure 14	Letter Of No Objection

The project is located west of State Highway 288, between County Roads 56, Meridiana Parkway and C.R. 64, Davenport Parkway. As shown on *Figure 1a: Jurisdiction Map*, parts of the proposed development lie within the City Limit, and parts lie within the City's extra-territorial jurisdiction.

3. A homeowners' association (HOA) shall be established and made legally responsible to maintain all communal areas, private streets, recreation reserves and community amenities not otherwise dedicated to the public. All land and facilities dedicated to a Municipal Utility District shall be maintained by said District.
4. All future building permits shall be reviewed for conformance with this PD.
5. Screening and Fencing will be provided along major thoroughfares, and along the perimeter boundaries as shown on *Figure 11: Perimeter Fencing and Screening*.
6. Construction of Phase 1 "Recreation Center" as shown on *Figure 2a: 50' Lot Single Family Residential and Recreation Center and Figure 13: Amenity Center Site Plan*, will commence immediately. The Recreation Center will consist of one lazy river, pool and event center.

**C. Land Uses.**

1. Permitted land uses for tracts identified as Single Family Residential (SFR) on *Figure 2* shall be those uses permitted within District SFR of the Zoning Ordinance. Single Family Residential (SFR) lots shall be a minimum 6,600 square feet and be a minimum sixty (60) feet wide.
2. Permitted land uses for the tracts identified as “Condominium” Single Family Residential on *Figure 2*, Shall include only “Condominium” Single Family Residential units as shown. *Figure 10: “Condominium” Single Family Residential Site Plan [See D2. (a) below]*
3. Permitted land uses for the tracts identified as “Utility” on *Figure 2* shall include municipal utility and drill site purposes.
4. Permitted land uses for the tracts identified as Single Family Residential-Section 11 and Recreation district are listed below in Table 1.0: Permitted Uses. Any use that is not expressly listed below and cannot be reasonably categorized as falling within the definition or common English interpretation of listed use, may be considered by Iowa Colony Planning Board as a Conditional Use or Specific Use. When considering the suitability of an unlisted use, Iowa Colony Planning Board shall have regard to the permissibility of similar land uses, the vision and objectives of the District, the potential amenity impacts associated with the use and whether allowing the use (with or without special conditions) is in the public interest.
5. The maximum number of single-family lots shall not exceed 484 lots. “Condominium” Single Family Residential shall not exceed 110 units. The total of all dwelling units combined shall not exceed 594 units.
6. Within the boundary of the proposed Plan of Development, land shall be dedicated for neighborhood park purposes, which area shall equal one (1) acre for each fifty-four (54) proposed dwelling units, based on 594 units equals  $\pm 11.0$  -acre required neighborhood park. Land used for the public park area shall have a minimum frontage of sixty feet on a public street. Portions of open space that do not have any additional man-made improvements provided by the developer, such as hiking/running trail, benches or shelters that facilitate an active human recreational role will not be considered contributing to the minimum public park area requirement.

Table 1.0 – Permitted Uses:

Land Uses Permitted	Recreation/Resort	Notes
Dwelling, Single-Family Attached		
Dwelling, Single Family Detached		
Wedding Venue	X	
Outdoor Stage, Performance Venue	X	
Community Center/ HOA amenities and club buildings	X	
Amusement and Recreational Services	X	
Other Spectator Sports, incl. rental concessions	X	
Other Reservation Services	X	
Performance Venue, Outdoor	X	
Membership Sports and Recreation Club	X	
Kiosk	X	
Mobile Food Unit	X	
Restaurant, Refreshment Stand (temporary or Seasonal)	X	
Accessory Building	X	
Temporary uses during construction. Including a “sales trailer” or “construction office”	X	

#### D. Development Regulations

D1. Development Regulations for Single Family Lots - Maximum 370 lots permitted. Single-family home sites within the PD shall be developed in accordance with the following regulations:

1. Minimum lot width: sixty (60) feet.
2. Minimum lot area: 6,600 square feet.
3. Minimum lot depth: One hundred and ten (110) feet or ninety (90) feet for lots fronting on the bulb portion of a cul-de-sac.
4. Maximum lot coverage: Sixty (60) percent calculated as the ground covered by building structures, principal or accessory, of the gross lot surface area.
5. Maximum height: Two (2) stories. Roof gables, chimneys, and vent stacks may extend to a height not to exceed thirty-five (35) feet above the average level of the base of the foundation of the building. Height regulations prescribed herein shall not apply to satellite earth station antennas or any personal communication electronic facilities protected by the Federal Telecommunications Act of 1996.
6. Minimum front yard building setback: twenty-five (25) feet; twenty (20) feet on cul-de-sac bulbs as measured from the front property / right-of-way line.
7. Minimum side yard building setbacks: Five (5) feet for interior, non-corner lots and the non-street side of corner lots; ten (10) feet exterior side yard for corner lots if a minimum fifteen (15) feet by fifteen (15) feet visibility triangle, as measured from the property line / street right-of-way line, that restricts the placement or maintenance of any vertical obstruction, either natural or man-made, within a vertical distance of between three (3) feet and eight (8) feet of the natural ground elevation, is provided on the platted lot subdivision at any street, public or private, intersection. A street side setback of twenty-five (25) feet minimum will be required for all lots siding on a designated major arterial, minor arterial or major collector.
8. Minimum rear yard building setback: 10 feet, except when the rear utility easement width is greater than ten (10) feet, the greater width is the minimum rear yard building setback. When a lot or a reserve is either directly adjacent to a major or minor arterial right-of-way or directly adjacent to a reserve less than fifteen (15) feet wide that is adjacent to a major or minor arterial, the minimum rear yard building setback is twenty –five (25) feet measured from the street right-of-way line and a minimum of ten (10) feet from the rear property line. When a residential lot backs to a designated major or minor arterial and a detached one-story garage is constructed on the residential lot, the rear yard between the detached one-story garage and the rear property line may be reduced to a minimum of three ( 3) feet if a minimum of twenty – five (25) feet is maintained between the rear of the one-story detached garage and the right-of-way line of the major or minor arterial.

9. All lots shall have a minimum of two (2) trees, planted in the front yard setback. The trees must be a minimum of one and one-half (1-1/2) inches in caliper width and a minimum height of six (6) feet as measured at the tree trunk from the ground as planted. The trees must be located between five (5) feet and fifteen (15) feet from a side lot line and between five (5) feet and twenty (20) feet from the front property line with a minimum of ten (10) feet between tree trunks.

D2. Development Regulations for “Condominium” Single Family Residential - At the time of the preliminary plat, a draft of the protective covenants whereby the Developer proposes to regulate the use of the land shall be submitted to the City. The restrictive covenants, conditions or limitations shall never be less than the minimum requirements of the City as specified in the City’s applicable ordinance(s) at the time of plat recordation.

In the “Condominium” Single Family Residential development, the units will be part of a condominium regime. A condominium regime is a form of property ownership where individuals own specific units while jointly owning in undivided interest the common elements of the property, all governed by the Texas Uniform Condominium Act. A Declaration of Condominium Regime will be recorded in the Official Public Records of Brazoria County, Texas which will establish the rules, rights, and obligations for all unit owners. A single corporate entity (the condominium property owners’ association formed in connection with the creation of the condominium regime) will maintain the common areas of the property including the exterior building components of the attached units (houses), front yards of all units, and common areas of the property (including the private streets).

1. “Condominium” Single Family Residential shall conform to and or be reasonable similar to the plat and site plan as shown on *Figure 10: “Condominium” Single Family Residential Site Plan*. The plan will feature 110 free standing units on a reserve totaling ±18.0 -acres.
2. Each unit shall have driveway frontage to a paved twenty eight (28) foot wide private access easement. (P.A.E.)
  - a) The minimum right-of-way width for a P.A.E. shall be twenty-eight (28) feet, which is coterminous with the pavement width measured from edge-to-edge across the surface of the pavement. The P.A.E. shall remain clear at all times for emergency vehicle access. No parking shall be allowed within the P.A.E.
  - b) At the option of an applicant, the right-of-way width of the P.A.E. may be comprised of two paving sections of not less than 20 feet each, separated by a curbed section of not less than five feet and not more than twenty

- (20) feet in width with a maximum length of one hundred (100) feet off a public street.
- c) Intersections along a P.A.E. shall be a minimum of sixty-five (65) feet apart. When a P.A.E. intersects with another P.A.E. at a 90-degree angle, the P.A.E. shall provide twenty-five (25) foot radius at the intersection. When a P.A.E. intersects with another P.A.E. at an angle less than 90 degrees, but more than 80 degrees, the P.A.E. shall provide a twenty-five (25) foot radius at the intersection.
  - d) The centerline radius of a reverse curve on a P.A.E. shall not be less than sixty-five (65) feet. Reverse curves shall be separated by a tangent of not less than twenty-five (25) feet.
3. No building or structure shall exceed two (2) stories, or thirty-five (35) feet.
  4. Buildings shall be a minimum of ten (10) feet apart.
  5. Minimum front yard building setback shall be twenty (20) feet. All buildings shall face internal private access easements.
  6. Minimum side yard building setback shall be ten (10) feet exterior side yard for corner lots. All buildings shall be set back a minimum twenty-five (25) feet from any other public street, Ames Boulevard, County Road 48, and Crystal View Drive, (Spine Road).
  7. Minimum rear yard building setback shall be twenty (20) feet. All buildings shall be set back a minimum twenty-five (25) feet from any other public street, Ames Boulevard, County Road 48, and Crystal View Drive, (Spine Road).
  8. Residential units shall be constructed of brick or masonry veneer exterior walls for one hundred (100) percent of the exterior wall surface (exclusive of windows and doors) for one (1) story structures; and a minimum of sixty (60) percent of the exterior wall (exclusive of windows and doors) for two (2) story structures with the remaining maximum forty (40) percent being fiber cement board.
  9. All front yards and all and all building exteriors of the attached units, and general common elements shall be maintained by the condominium association.
  10. Compensation Open Space: Nine hundred (900) square feet of compensation open space shall be provided per each residential unit in accordance with the performance standards outlined in Section 74 (d)(iii)(A) of City of Iowa Colony Ordinance 2019-14A.
  11. Two (2) garage parking spaces and two (2) off-street parking spaces shall be provided for each residential unit. In addition, one (1) guest parking space for every four (4) units shall be provided throughout the site.
- D3. Development Regulations for 50' Lots Single Family Residential (Section 11)
1. Minimum lot width: Fifty (50) feet.
  2. Minimum lot area: 5,500 square feet.

3. Minimum lot depth: One hundred and ten (110) feet.
4. For all related minimum standards regarding lot coverage, building height, building setbacks, and landscape requirements refer to Development Regulations- Section D1.
5. Compensation Open Space: The ±8.7-acre recreation reserve and HOA amenities will satisfy the C.O.S. requirements for the single family residential in this District. Additionally, the developer will dedicate an additional ±18.0-acre of park land as identified in *Figure 12* of this document to the City of Iowa Colony. The park will be deeded to the city of Iowa Colony on the approval of Final Plats for the 50 feet Single Family Residential Section 11 by the City Council.

**E. Parks, Recreation and Trails**

As shown on *Figure 3*, an integrated network of open space and recreational amenities shall be provided in accordance with the following regulations:

1. A maximum of fifty percent (50) percent of the required area for neighborhood park land may be provided by private neighborhood park land consisting of the following.
  - (a) Several small “pocket parks”, recreation reserves of a minimum one-quarter (1/4) acre, strategically located near the entries of various neighborhood pods, as shown on *Figure 3*. A contributing park / recreation / open space area must be located a maximum of one-quarter (1/4) mile from all residential lots.
  - (b) The recreational amenities, including the ±8.7-acre recreation reserve and HOA buildings will contribute to the open space and park requirements for this District. as shown on *Figure 3, Contributing Landscape and Open Space Plan*. The recreational amenities are centrally located, consisting of 8.7 acres including water recreation, HOA building, playground, picnic areas and/or other active recreational uses.
2. A minimum of fifty percent (50%) – 5.6 acres of the required area for neighborhood park land shall be dedicated to, and accessible to the public. Public Park land shall conform to the criteria indicated in the UDC regarding parkland dedication. Section 3.2.1.5. Consisting of the following:
  - (a) Unencumbered landscape buffer, open space and trails.
  - (b) Land which is encumbered by detention areas, lake and drainage channel borders, or other similar characteristics shall qualify at a 50% credit but only if it complies with criteria listed below.
    - Land used for the public park area shall have a minimum frontage of sixty (60) feet on a public street. Contributing areas shall include hiking, biking, and all-weather paths, landscaping and sodding installed

according to the construction standards of the City. Paths must also be connected to recreation areas as part of an open space system.

- Areas along lake and drainage channel borders shall have an average minimum width of thirty (30) feet and a minimum width of twenty (20) feet; and
  - Side slopes for area used in credit not to exceed a five to one (5:1) ratio.
- (c) A minimum of two (2) view corridors per lake with an unobstructed view from the adjacent streets with a minimum combined width of sixty (60) feet, per lake, shall be provided to each permanent lake. The minimum width of a single view corridor is twenty (20) feet. Views to the permanent lakes from the view corridors shall not be obstructed by fences, structures, screening or landscaping that would prevent seeing the lake area.
- (d) View corridors shall be separated by a minimum of one thousand (1,000) feet as measured along the lake water edge. Unless the lake is less than one thousand (1,000) feet in length in which case the view corridors shall be separated by at least 4/5 the total length of the lake.
- (e) A concrete pedestrian path a minimum of five (5) feet in width shall connect the required street sidewalk with the lake water edge.
3. Approximately ±18 acres as identified in *Figure 12* will be deeded to the City of Iowa Colony as a part of an integrated public park system upon approval of the final plats for the single-family residential unit development mentioned in D3.
4. Minimum five (5) foot width sidewalks shall be provided along both sides of local public and private residential streets. Except, sidewalks are not required adjacent to twenty-eight (28) foot wide P.A.E. in the "Condominium" Single Family development. All sidewalks shall be constructed in accordance with the City of Iowa Colony standard details and shall meet the State of Texas ADA standards.
5. Minimum six (6) foot width sidewalks shall be provided along both sides of major arterials, minor arterials, major collectors and the central spine road (as depicted in *Figure 4* attached) within and adjacent to the property. At the discretion of the developer, a twelve (12) foot wide joint use trail may be constructed on only one side of the right-of-way in lieu of two six (6) foot wide sidewalks on both sides of the right-of-way. In either case, the sidewalks or joint use trail may meander out of the right-of-way and into an adjacent landscape reserve if so provided.

#### F. **Landscape**

All development will meet or exceed the minimum landscape requirements specified in the City's Unified Development Code, Section 3.3.1 Screening, and

shall meet the landscape requirements specified in the developer's commercial deed restrictions and development covenants except as listed below.

1. A landscape buffer with a minimum fifteen (15) foot width shall be located along each side of the Crystal View Drive, as shown on *Figure 3*, where lots side or rear to the spine road. The buffer is in addition to the minimum street right-of-way width and shall include trees, benches, plazas and landscape screening. No on-street parking will be allowed along the designated spine road.
2. Screening
  - a) The existing trees and hedge row along existing CR 48 will meet the requirements of Section 3.3.1.2 without the need for additional plantings.
  - b) Perimeter Fencing and Screening will be constructed as shown on *Figure 8, Perimeter Fencing and Screening*.

### 3. Plant List

Trees: Except palm trees to be placed within the recreation site only and not within the ROW as street trees.

- Little Gem – Magnolia grandiflora 'Little Gem' (Evergreen)
- Vitex – Vitex agnus-castus
- Pindo Palm- Butia capitata
- European Fan Palm- Chamaerops humilis cerifera
- Chinese Fan Palm- Livistona chinensis
- Mazari Palm- Nannorrhops ritchiana
- Canary Island Date Palm- Phoenix canariensis
- Medjool Date Palm- Phoenix dactylifera 'Medjool'
- Sylvester Palm- Phoenix sylvestris
- Texas Sabal Palm- Sabal texana
- California Fan Palm- Washingtonia filifera
- Washingtonia Palm- Washingtonia robusta
- Eagleston Holly- Ilex x attenuate 'Eagleston'
- Crape Myrtle - Red- Lagerstroemia x 'Arapaho'
- Crape Myrtle – Pink- Lagerstroemia x 'Sioux'

Shrubs/Groundcovers:

- Coppertone Loquat – Eriobotrya japonica 'Coppertone' (Evergreen)
- Morning Light Miscanthus – Miscanthus sinensis 'Morning Light' (Herbaceous)
- Dwarf Bottlebrush – Callistemon citrinus 'Little John' (Evergreen)
- Variegated Flax Lily – Dianella tasmanica 'Variegata' (Evergreen)

- Mexican Feather Grass – *Nassella tenuissima* (Herbaceous)
- New Gold Lantana – *Lantana x hybrid 'New Gold'* (Evergreen)
- Liriope – *Liriope muscari* (Evergreen)
- Gulf Muhly Grass - *Muhlenbergia capillaris*
- Drift Rose (Apricot) – *Rosa 'Meimirrot'*
- Dwarf Firebush – *Hamelia patens*
- Summer Wisteria – *Indigofera decora*
- Hameln Grass – *Pennisetumalopecuroides 'Hameln'*
- Sandy Leaf Fig – *Ficus tikoua*
- Purple Trailing Verbena – *Verbena canadensis 'Homestead Purple'*
- Snow-N-Summer Jasmine – *Trachelospermum asiaticum 'Snow-N-Summer'*
- Green Mound Juniper – *Juniperus procumben 'Green Mound'*
- Bicolor Iris – *Dietes Bicolor* (Evergreen)
- Foxtail Fern – *Asparagus meyeri* (Evergreen)
- Japanese Blueberry – *Elaeocarpus decipiens* (Evergreen)
- Dwarf Palmetto- *Sabal minor*
- Shell Ginger- *Alpinia Zerumbet 'Variegata'*
- Bat Faced Cuphea- *Cuphea llavea*
- Canna Lily- *Canna indica*
- Yellow Iris- *Iris pseudacorus*
- Knockout Rose- *Roba 'Radrazz'*
- Double Red Knockout Rose- *Rosa x 'Knockout' TM*
- Variegated Asian Jasmine- *Asiatic jasmine*
- Geyser Pink Gaura- *Gaura lindheimeri 'Geyser Pink'*
- Geyser White Gaura- *Gaura lindheimeri 'Geyser White'*
- Super Green Giant Liriope- *Liriope muscari 'Super Green Giant'*
- Yellow-tip Ligustrum- *Ligustrum howardii*
- Sweet Viburnum - *Viburnum odoratissimum*
- Kaleidoscope Abelia- *Abelia x grandiflora 'Kaleidoscope'*
- Rose Creek Abelia- *Abelia x grandiflora 'Rose Creek'*
- Dwarf Schilling's Holly- *Ilex vomitoria 'Schilling's Dwarf'*
- Lindheimer's Muhly- *Muhlenbergia lindheimeri*
- Dwarf Nandina- *Nandina domestica*
- Switch Grass- *Panicum virgatum 'Shenandoah'*
- Spring Bouquet Laurestinus- *Viburnum tinus 'Spring Bouquet'*
- Sand Cord Grass- *Spartina bakeri*
- Variegated Confederate Jasmine- *Trachelospermum jasminoides 'Variegatum'*

**G. School Site**

As shown of *Figure 2*, an elementary school site shall be provided for purchase at the option of the Alvin Independent School District. If the AISD chooses not to purchase the site, the site is limited to the same uses as for tracts identified as Single Family Residential (SFR) on *Figure 2*. The developer will reserve the land for purchase by Alvin ISD for a period of three (3) years after the date the land is acquired by the developer and for a period no earlier than the completion of a combined total of 600 homes within the vested property or Sierra Vista West PD. The Developer would require that the District have the land under contract and close within one (1) year of the Districts decision to purchase the land.

**H. Street Plan and Cross Sections.**

1. Street improvements shall be built in phases as the project develops in accordance with the City's Engineering Design Criteria Manual, Developers Agreement, street plan and cross sections listed below.

- Figure 4: Thoroughfare Exhibit
- Figure 5: Street cross section for the spine road (divided) and greenbelt
- Figure 6: Street cross section for the spine road (divided) with Shared Use Trail
- Figure 7: Street cross section for the spine road (undivided) and greenbelt
- Figure 8: Street cross section for the spine road (undivided) with Shared Use Trail

**I. Project Phasing**

*Figure 9* indicates the general time and location of the proposed development phasing. The precise dates of each phase is subject to change due to general economic variables and market demand.

**J. Recreation Area**

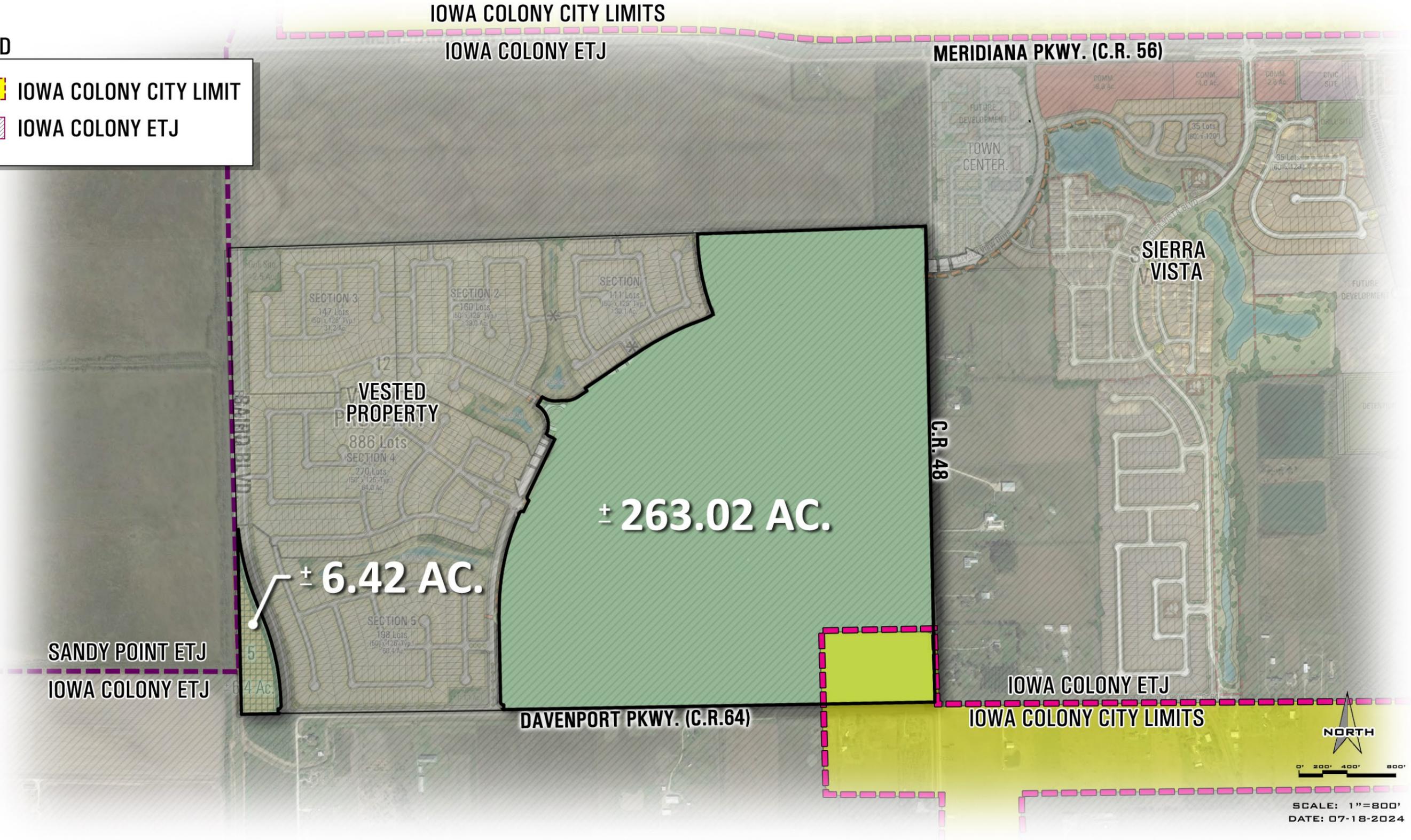
The recreation area will be built in general conformance with the City of Iowa Colony Engineering Design Criteria Manual effective June 20,2009 and as per the permitted plan set approved by the City of Iowa Colony, Adico LLC . Please see *Figure 14 – Letter of No Objection*. Also refer to *Figure 13* illustrating the recreation center site plan identifying a comprehensive list of amenities and *Figure 13 A* for the elevations and 3D view of the recreation center respectively.



# Sierra Vista West Jurisdiction Map

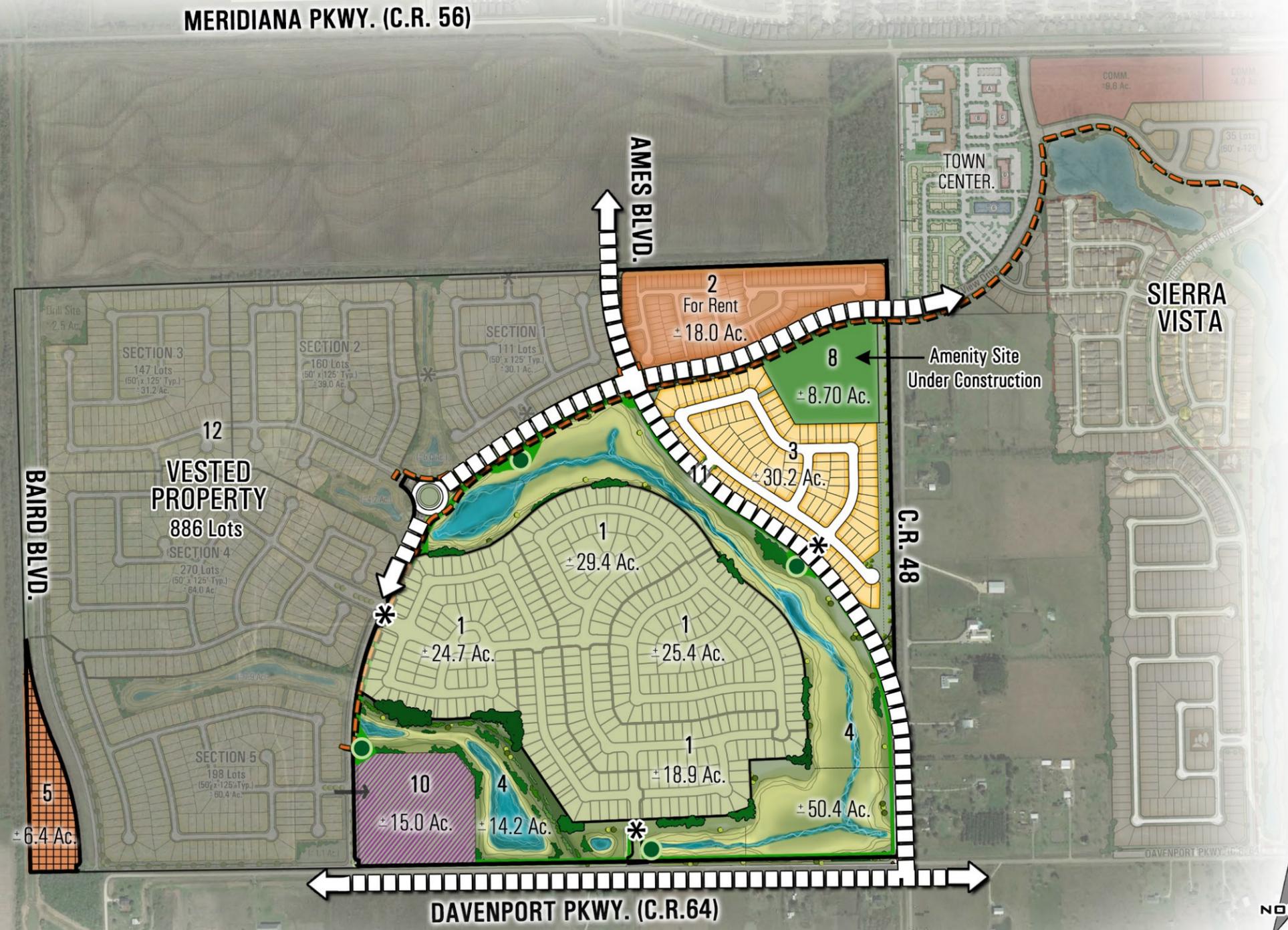
### LEGEND

-  IOWA COLONY CITY LIMIT
-  IOWA COLONY ETJ



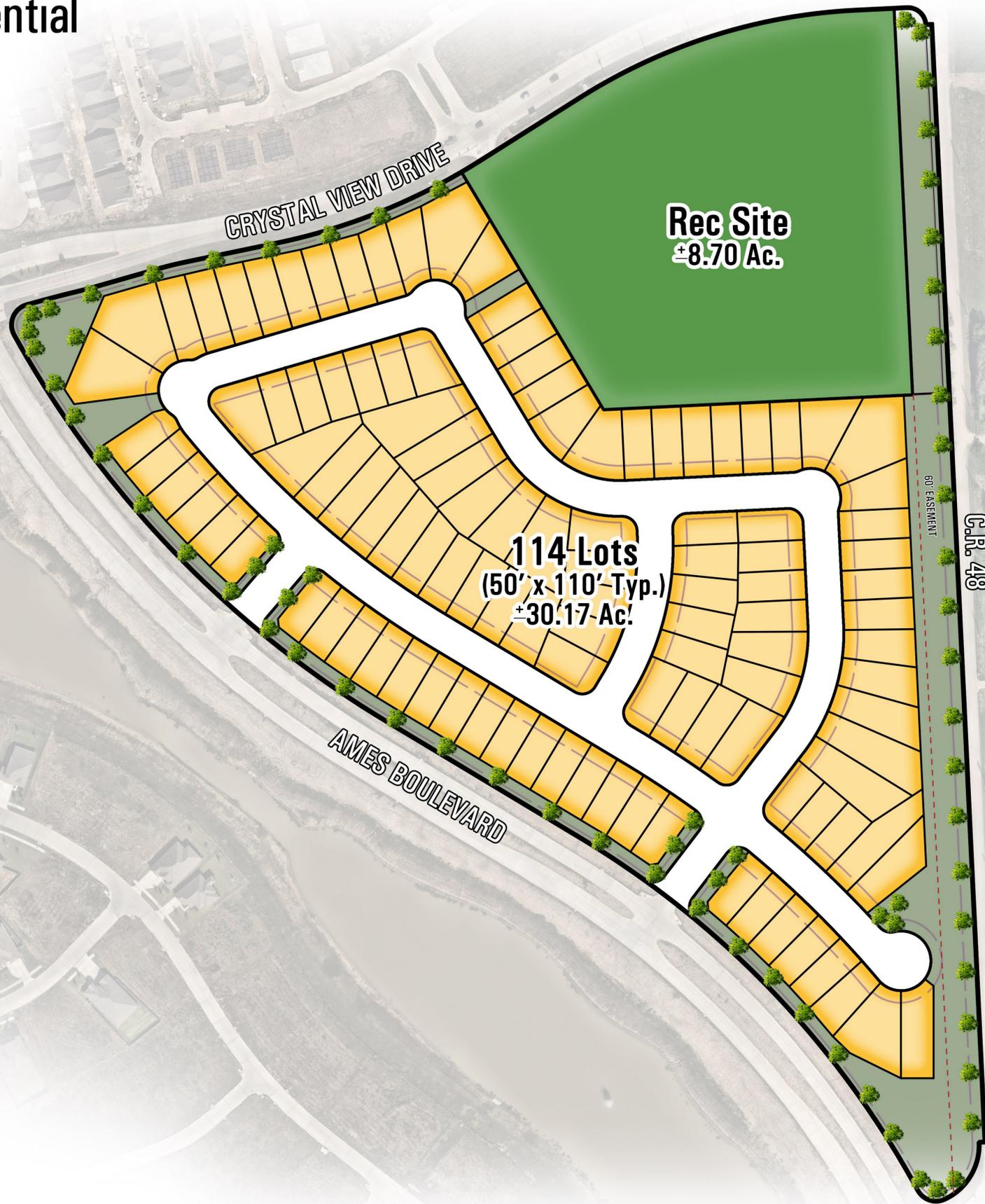
# Sierra Vista West General Development Plan

LEGEND		
1	<b>SF 1 - MAXIMUM 370 LOTS</b> - LOTS SHALL BE A MINIMUM OF 60' WIDE and 6,600 SF.	98.4 AC.
2	INDICATES PROPOSED SWING	18.0 AC.
3	INDICATES PROPOSED 50' SF LOTS (114 lots)	30.2 AC.
4	INDICATES PROPOSED DETENTION/RECREATION	63.0 AC.
5	INDICATES PROPOSED UTILITY SWING	6.4 AC.
6	* INDICATES PROPOSED GATED ENTRY/ PRIVATE STREET ONLY	-
7	● INDICATES PROPOSED PUBLIC RECREATION SITE	5.4 AC.
8	● INDICATES PROPOSED PRIVATE RECREATION SITE	8.7 AC.
9	— INDICATES OPTIONAL MULTI-USE TRAIL	-
10	▨ INDICATES OPTIONAL SCHOOL SITE	15.0 AC.
11	▬▬▬ INDICATES PROPOSED R.O.W.	24.3 AC.
12	▨ INDICATES VESTED PROPERTY	232.5 AC.
<b>TOTAL</b>		<b>501.9 AC.</b>

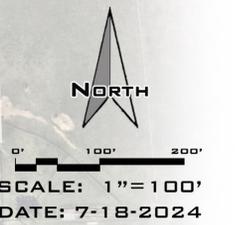


# Sierra Vista West

## 50' Lot Single Family Residential and Recreation Center (Section 11)



LAND USE TABLE		
Residential	Lot Count	Acreage
50'x110' Typ	114 Lots	±19.79 Ac
Rec Site	-	±8.70 Ac
Open Space/Reserves	-	±4.61 Ac
ROW	-	±5.77 Ac
Building Line	-	-
Easements	-	-
<b>Total</b>	<b>114 Lots</b>	<b>±38.87 Ac</b>



## Contributing Landscape and Open Space Plan

### LEGEND

#### REQUIRED NEIGHBORHOOD PARK

1 AC/54 UNITS @606 UNITS = 11.2 ACRES REQUIRED

- 50% PRIVATE PARK = 5.6 AC.
  - A) POCKET PARKS & CONTRIBUTING OPEN SPACE
  - B) MIN. 10 AC. CENTRALLY LOCATED PRIVATE RECREATION SITE
- 50% PUBLIC PARK = 5.6 AC.
  - A) UNENCUMBERED BUFFER, OPEN SPACE AND TRAILS
  - B) DETENTION AREAS SHALL QUALIFY AT A 25% CREDIT FOR PUBLIC PARK SUBJECT TO:
    - 5:1 MAXIMUM SIDE SLOPE
    - MIN. 60' FRONTAGE ON A PUBLIC STREET
    - ADDITIONAL MAN-MADE IMPROVEMENTS INCLUDING, TRAIL BENCHES, AND LANDSCAPE (LANDSCAPE BUFFERS TO COUNT AS REQUIRED OPEN SPACE SUBJECT TO MINIMUM 15' WIDE AND CONTAINING REQUIRED 1 1/2" CALIPER TREES).

● INDICATES PRIVATE NEIGHBORHOOD PARK MINIMUM 1/4 AC. (SEE NOTE)

● INDICATES PUBLIC NEIGHBORHOOD PARK

○ 1/4 MILE RADIUS SERVICE AREA

— INDICATES OPTIONAL 12' WIDE SHARED USE TRAIL

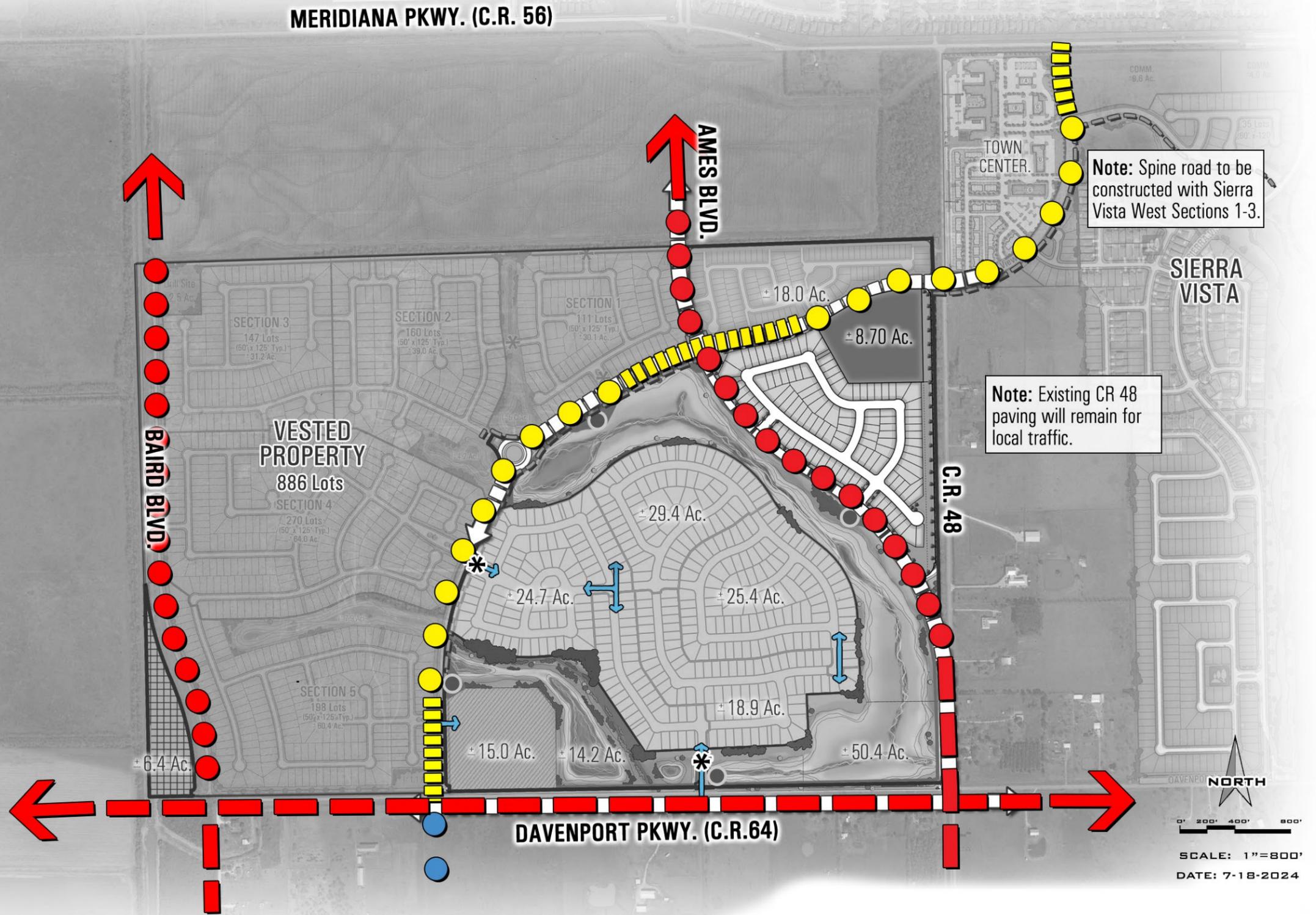
NOTE: 6' MINIMUM SIDEWALK REQUIRED ON BOTH SIDES OF THE SPINE ROAD OR A 10' SHARED USE TRAIL ON ONE SIDE OF THE SPINE ROAD.

● Note:  
Recreation sites shall provide a variety of recreational uses—passive and active. At minimum, a recreation site shall include a paved plaza area. The plaza area shall be a minimum of 500 sq. ft. and shall include a decorative paving pattern. Each site shall include at least 2 benches, 2 shade trees and a drinking fountain.



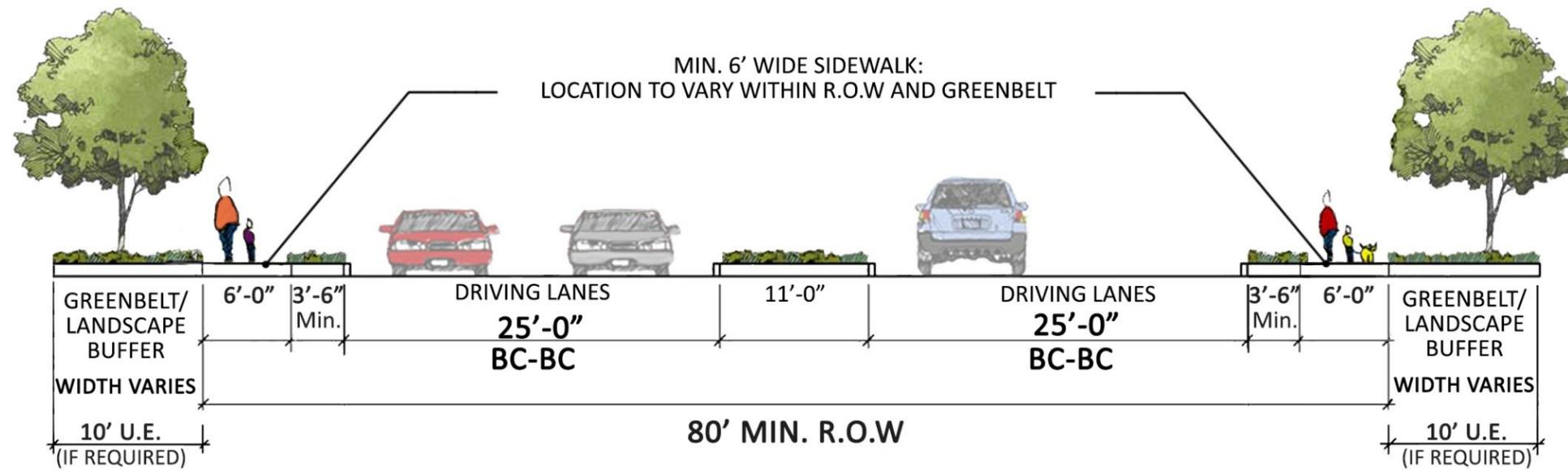
#### LEGEND

- MAJOR ARTERIAL (TO BE WIDENED)  
(120' R.O.W. MIN.)
- MAJOR ARTERIAL (PROPOSED)  
(120' R.O.W. MIN.)
- MINOR COLLECTOR (PROPOSED)  
(80' R.O.W. MIN.)
- SPINE ROAD - UNDIVIDED (PUBLIC)  
(80' R.O.W. MIN.)
- ▬ SPINE ROAD - DIVIDED (PUBLIC)  
(80' R.O.W. MIN.)
- LOCAL STREET (PRIVATE)  
(60' R.O.W. MIN.)
- \* GATED ENTRY/ PRIVATE STREET



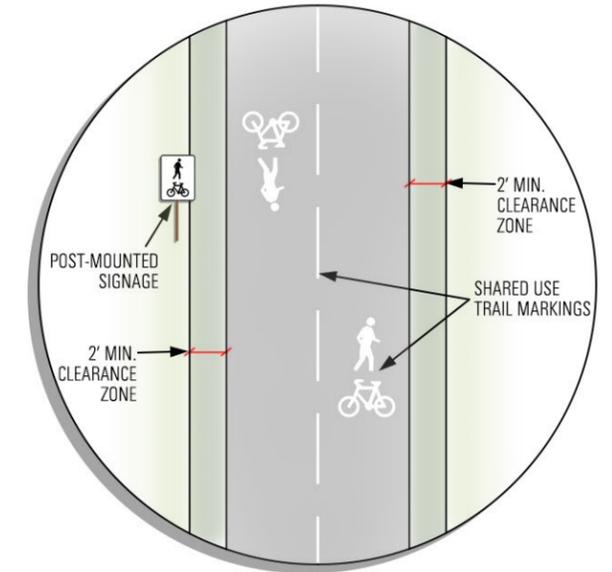
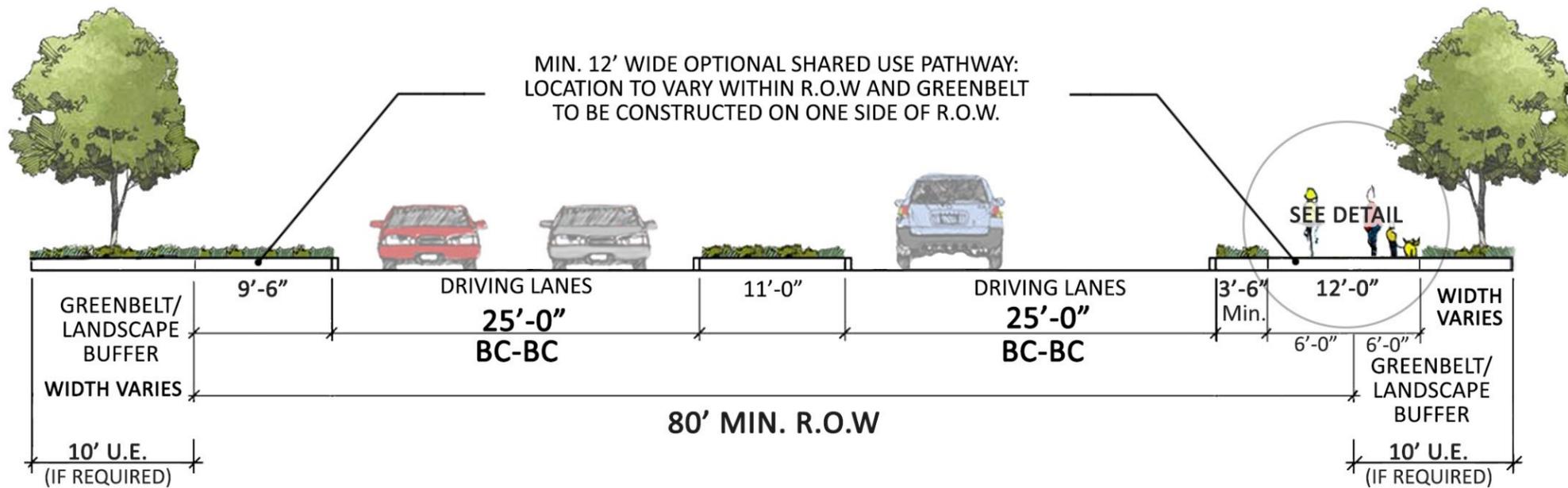
## Street Cross Section for Spine Road (Divided)

### PROPOSED STREET CROSS SECTION SPINE ROAD (DIVIDED)



## Street Cross Section for Spine Road (Divided) with Shared Use Trail

### PROPOSED STREET CROSS SECTION SPINE ROAD (DIVIDED) SHARED USE TRAIL



#### SHARED USE TRAIL DETAIL:

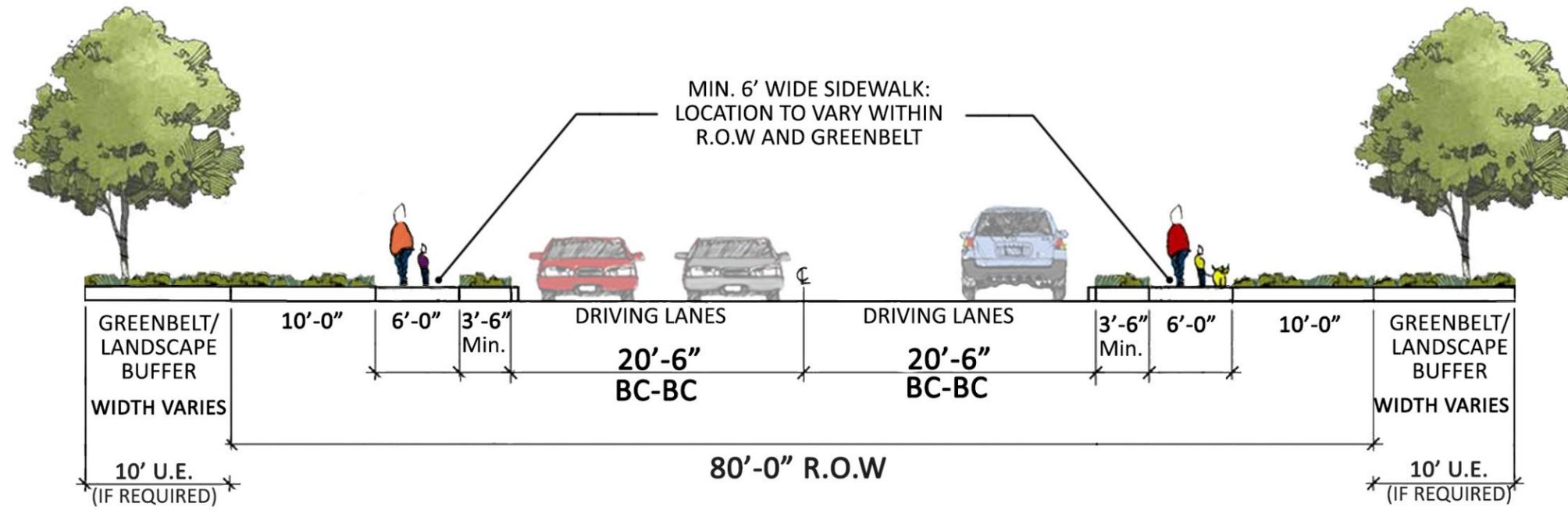
- 12' MINIMUM TRAIL
- POST-MOUNTED SIGNAGE  
OUTSIDE OF CLEARANCE ZONE  
AND 4' MINIMUM HEIGHT
- 8' MINIMUM TREE CLEARANCE
- 2' CLEARANCE ZONES



SCALE: 1"=10'  
DATE: 07-18-2024

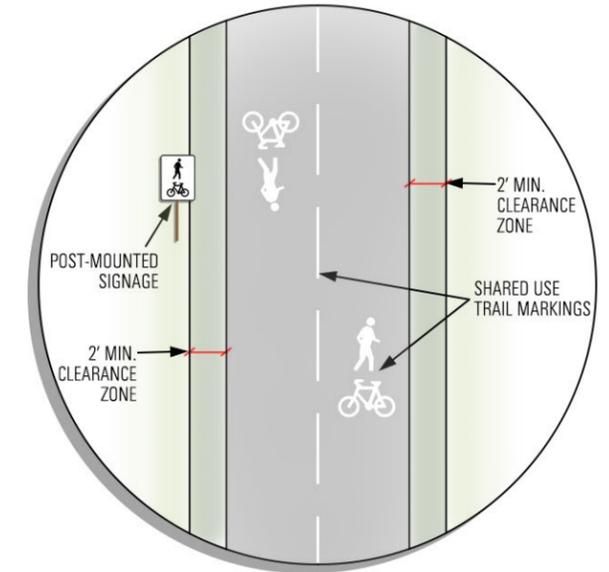
Street Cross Section  
for Spine Road (Undivided)

PROPOSED STREET CROSS SECTION  
SPINE ROAD (UNDIVIDED)



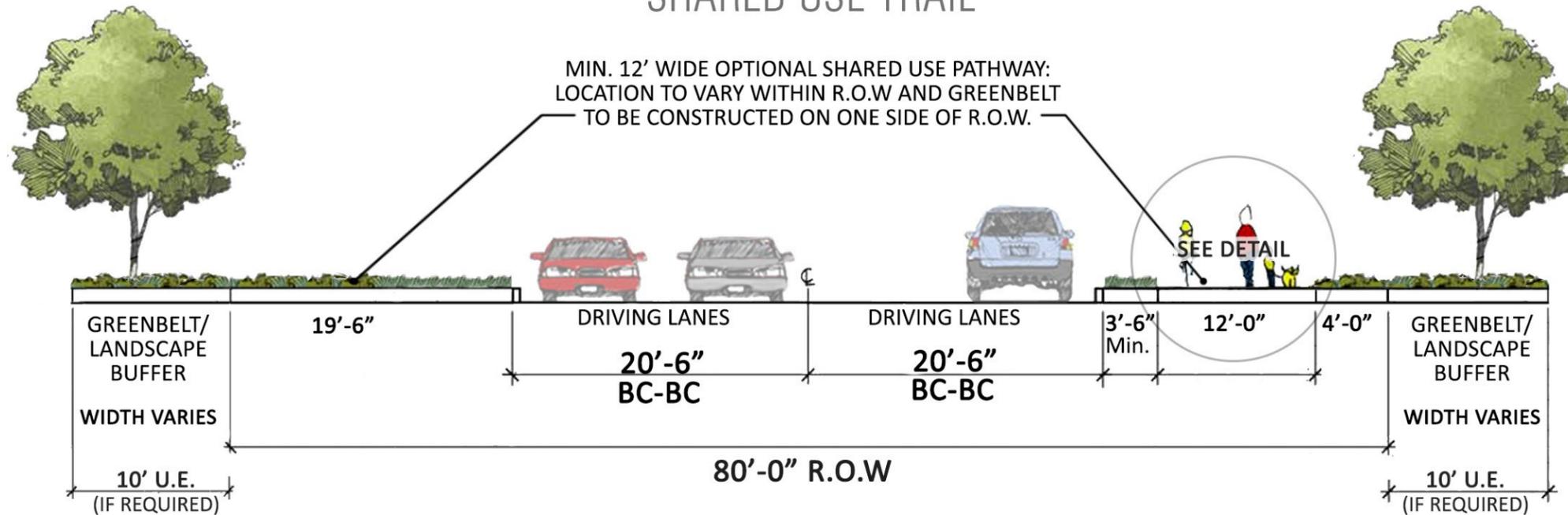
## Street Cross Section for Spine Road (Undivided) with Shared Use Trail

### PROPOSED STREET CROSS SECTION SPINE ROAD (UNDIVIDED) SHARED USE TRAIL



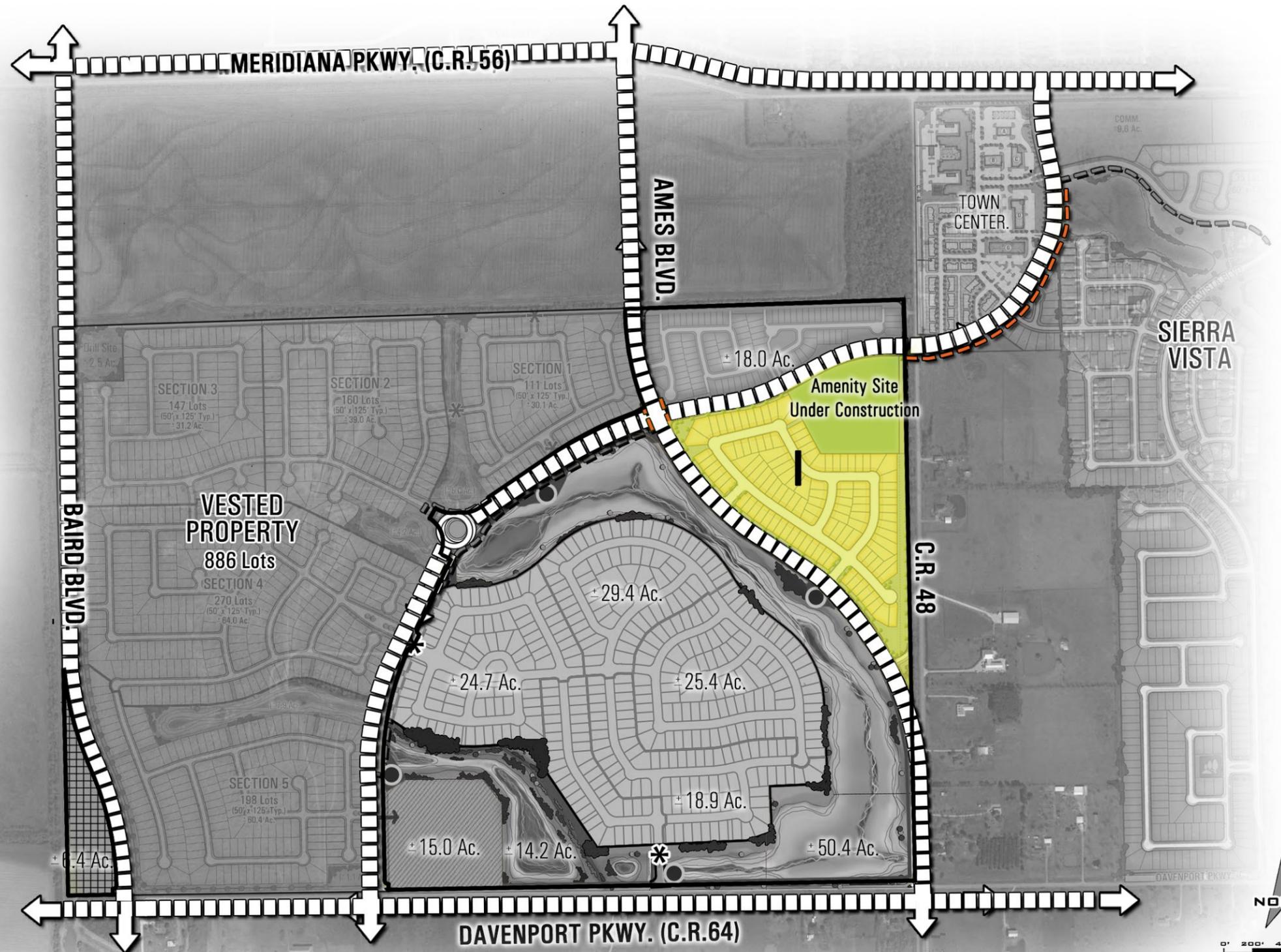
#### SHARED USE TRAIL DETAIL:

- 12' MINIMUM OPTIONAL TRAIL
- POST-MOUNTED SIGNAGE OUTSIDE OF CLEARANCE ZONE AND 4' MINIMUM HEIGHT
- 8' MINIMUM TREE CLEARANCE
- 2' CLEARANCE ZONES



## Phasing Plan of Development

 PHASE I (1-2 Years)\*

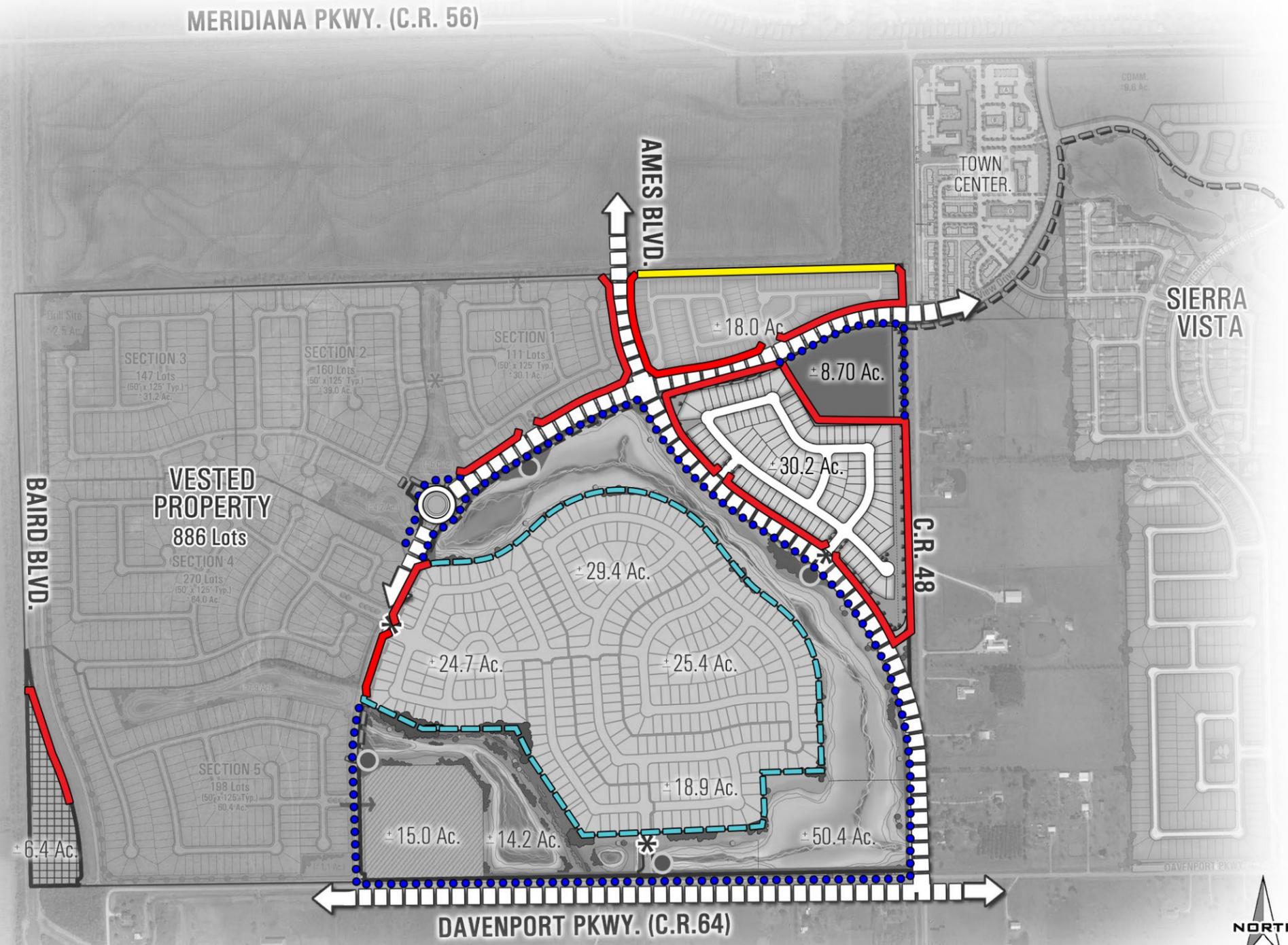
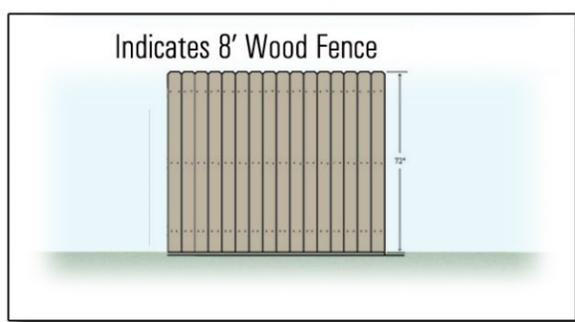
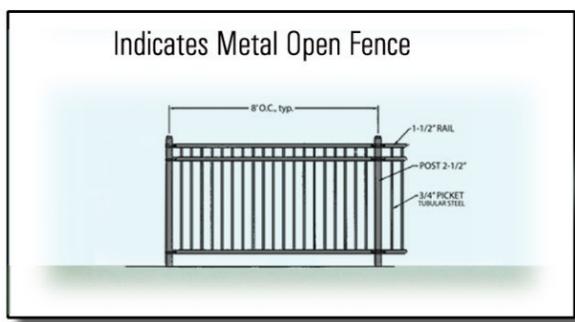


\*THE PHASE DATES OF EACH PHASE IS SUBJECT TO CHANGE DUE TO GENERAL ECONOMIC VARIABLES AND MARKET DEMAND.



## Perimeter Fencing and Screening

-  Indicates 6' high masonry wall
-  Indicates 8' high wood fence
-  Indicates 6' metal open fence
-  Indicates no fence required



**SIERRA VISTA**  
and  
**STERLING LAKES**  
AT IOWA COLONY  
A CANYON GATE® COMMUNITY

**Contributing Landscape and Open Space Plan**

**LEGEND**

	ACREAGE	TOTAL %
<b>REQUIRED OPEN SPACE</b>	65 ACRES	5%

OPEN SPACE INCLUDES LANDSCAPE BUFFERS, DETENTION AREAS, GREEN BELTS AND RECREATION SITES.  
(CONTRIBUTING RECREATION SITES SHALL BE ACCESSIBLE FROM A PUBLIC STREET.)

- INDICATES PRIVATE NON-CONTRIBUTING RECREATION SITES
- INDICATES PROPOSED RECREATION SITE MINIMUM 1/4 AC. (SEE NOTE)
- 1/4 MILE RADIUS SERVICE AREA
- PROPOSED PUBLIC PARK NOT INCLUDED IN LANDSCAPE/OPEN SPACE AREA CALCULATIONS
- INDICATES 15' MINIMUM GREENBELT/ LANDSCAPE BUFFER WITH SIDEWALK  
NOTE: 6' MINIMUM SIDEWALK REQUIRED ON ONE SIDE OF THE SPINE ROAD
- INDICATES MINIMUM 5' WIDE PUBLIC STREET SIDEWALK
- LANDSCAPE BUFFERS TO COUNT AS REQUIRED OPEN SPACE SUBJECT TO:  
MINIMUM 15' WIDE AND CONTAINING REQUIRED 1½" CALIPER TREES
- DETENTION LAKE TO COUNT AS REQUIRED OPEN SPACE SUBJECT TO:  
5:1 MAXIMUM SIDE SLOPE, PERMANENT WATER SURFACE AND MINIMUM 6' WATER DEPTH

**Note:**  
Recreation sites shall provide a variety of recreational uses-passive and active. At minimum, a recreation site shall include a paved plaza area. The plaza area shall be a minimum of 500 sq.ft. and shall include a decorative paving pattern.

Each site shall include at least 2 benches, 2 shade trees, a drinking fountain and bicycle parking. Bicycle parking shall include racks or other structures intended for parking bicycles, with a minimum of 4 spaces.

At least 2 parks shall include ball field facilities for informal play, including baseball back stops and soccer goals. At least 1 park shall include a fenced area with double gates for use as a dog park.





# SIERRA VISTA

## Conceptual Amenity Exhibit

a project developed for  
Astro Sierra Vista L.P.

### LEGEND

- 1- CLUBHOUSE PAD SITE
- 2- PLAYGROUND
- 3- SPLASH PAD
- 4- RESTROOM/PAVILION
- 5- TENNIS COURT
- 6- BASKETBALL COURT
- 7a- PARKING LOT
- 7b- GOLF CART PARKING
- 8- OASIS POOL
- 9- LAZY RIVER
- 10- SHADE
- 11a- ENTRY FEATURE
- 11b- SECONDARY ENTRANCE
- 12- POOL DECKING
- 13- BEACH WALK IN
- 14- ACCESS BRIDGE
- 15- PICKLEBALL COURT
- 16- BOCCIE BALL COURT
- 17- SAND BEACH
- 18- HAMMOCK AREA
- 19- CABANA
- 20- SIDEWALK
- 21- POOL EQUIPMENT ROOM
- 22- RETAINING WALL
- 23- SPORTS/OPEN SPACE
- 24- 20' WIDE FIRE LANE



THIS DRAWING DEPICTS CONCEPTUAL LANDSCAPE IMPROVEMENTS  
FOR ILLUSTRATIVE PURPOSES ONLY.  
FINAL DESIGN SOLUTIONS ARE SUBJECT TO CHANGE.



## MUNICIPAL SOLID WASTE AGREEMENT

This Municipal Solid Waste Agreement (this "Agreement") is entered into as of the day of \_\_\_\_\_, 2026 between the **City of Iowa Colony, Texas** ("City"), and **Best Trash, LLC** ("Contractor"), a Texas limited liability company, acting by and through its duly authorized representative.

### WITNESSETH:

**WHEREAS**, subject to the terms herein, City desires to grant to Contractor the exclusive right to operate and maintain the service of collection, transportation, and disposal of residential garbage and trash, and residential recycling, over, upon, along and across the present and future streets, alleys, bridges, and public properties within the City of Iowa Colony, Texas subject to the terms of this Agreement; and

**WHEREAS**, Contractor desires to operate and maintain the service of collection and transportation of residential garbage and trash, and residential recycling, over, upon, along and across the present and future streets, alleys, bridges, and public properties, subject to the terms of this Agreement.

**NOW, THEREFORE**, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, the parties hereto agree as follows:

#### I. DEFINITIONS:

- 1.01. **Brush:** Any cuttings or trimmings from trees, shrubs, or lawns, and similar materials that are three (3) feet or less in length and four (4) inches or less in diameter. The term "Brush" specifically excludes material resulting from services of a Commercial Service Provider.
- 1.02. **Bulky Waste:** Furniture, bicycles (without tires), refrigerators that have CFCs removed by a certified technician, stoves, loose brush greater than three (3) feet in length or four (4) inches in diameter, and other oversized wastes which are customary to ordinary housekeeping operations of a Residential Unit and whose large size precludes or complicates its handling by normal solid waste collection, processing or disposal methods.
- 1.03. **Bundle or Bundles:** Tree, shrub and brush trimmings securely tied together forming an easily handled package, not to exceed four (4) feet in length, four (4) inches in diameter, or fifty (50) pounds in weight.
- 1.04. **Commercial Unit:** All commercial and industrial businesses and establishments, including, but not limited to, stores, offices, restaurants, warehouses, and manufacturing facilities, premises, locations or entities, public or private, within the City's jurisdiction.
- 1.05. **Commercial Waste:** All Garbage, Rubbish, and Refuse generated by a Commercial Unit, excluding Unacceptable Waste.
- 1.06. **Construction Debris:** Waste building materials resulting from construction, remodeling,

repair, or demolition operations that are directly or indirectly the by-products of construction work or that result from demolition of buildings or other structures, but specifically excluding inert debris, land-clearing debris, yard debris, or used asphalt, asphalt mixed with dirt, sand, gravel, rock, concrete, or similar materials.

- 1.07. **Contractor:** Best Trash, LLC
- 1.08. **Customer:** The owner or tenant of a Residential Unit located within the City and identified by the City as being eligible for and in need of the services provided by the Contractor under this Agreement.
- 1.09. **Dead Animals:** Animals or portions thereof that have expired from any cause except those slaughtered or killed for human use.
- 1.10. **Disposal Site:** A duly permitted sanitary landfill selected by Contractor.
- 1.11. **City:** City of Iowa Colony, Texas.
- 1.12. **Dumpster:** Metal receptacle designed to be lifted and emptied mechanically for use only at Commercial Units.
- 1.13. **Garbage:** Solid Waste consisting of putrescible or animal and vegetable waste materials resulting from the handling, preparation, cooking, and consumption of food, including waste materials from markets, storage facilities, handling and sale of produce and other food products, and all Dead Animals of less than ten pounds (10 lbs.) in weight, except those slaughtered for human consumption.
- 1.14. **Hazardous Waste:** Any Solid Waste identified or listed as a hazardous waste by the administrator of the Environmental Protection Agency under the Federal Solid Waste Disposal Act as amended by **RCRA**, 42 U.S.C. §6901, *et. seq.*, as amended.
- 1.15. **Household Hazardous Waste:** Any Solid Waste generated from residential households that is classified as hazardous by federal or state law, or that exhibits characteristics of ignitability, corrosivity, reactivity, or toxicity. The term includes, but is not limited to, paints, paint thinners, solvents, pesticides, herbicides, fertilizers, automotive fluids, used oil, antifreeze, pool chemicals, household cleaners, batteries, and similar materials.
- 1.16. **Material Recovery Facility (MRF):** A facility that receives and processes Single Stream Materials and/or Recyclables for resell, reuse, or recovery.
- 1.17. **Medical Waste.** Waste generated by health care related facilities and associated with health care activities, not including Garbage or Rubbish generated from offices, kitchens, or other non-health-care activities. The term includes Special Waste from health care-related facilities which is comprised of animal waste, bulk blood and blood products, microbiological waste, pathological waste, and sharps as those terms are defined in 25 TAC §1.132 (relating to Definitions).
- 1.18. **Non-Recyclables:** Any materials in the Single Stream Materials or Recyclables that are not Recyclables.

<sup>1</sup> Is this being provided/should it be deleted?

- 1.19. **Polycart:** A rubber-wheeled receptacle with a maximum capacity of 90 - 96 gallons constructed of plastic, metal and/or fiberglass, designed for automated or semi-automated solid waste collection systems, and having a tight-fitting lid capable of preventing entrance into the container by small animals. The weight of a Polycart and its contents shall not exceed 175 lbs.
- 1.20. **Recyclable Material or Recyclables:** A material that has been recovered or diverted from the non-hazardous waste stream for purposes of reuse, recycling, or reclamation, a substantial portion of which is consistently used in the manufacture of products that may otherwise be produced using raw or virgin materials. Recyclable Material is not solid waste. However, Recyclable Material may become Solid Waste at such time, if any, as it is abandoned or disposed of rather than recycled, whereupon it will be solid waste, with respect to the party actually abandoning or disposing of such material.
- 1.21. **Recycling Container:** A Contractor owned rubber-wheeled receptacle with a maximum capacity of 90 - 96 gallons constructed of plastic, metal and/or fiberglass, designed for automated or semi-automated solid waste collection systems, and having a tight-fitting lid capable of preventing entrance into the container by small animals. The weight of a Polycart and its contents shall not exceed 175 lbs.
- 1.22. **Refuse:** Same as Rubbish.
- 1.23. **Residential Unit:** A residential dwelling within the service area of the City occupied by a person or group of persons comprising not more than four families. A Residential Unit shall be deemed occupied when either water or domestic light and power services are being supplied thereto. A condominium dwelling, whether of single or multi-level construction, consisting of four units, shall be treated as a Residential Unit, except that each single-family dwelling within any such Residential Unit shall be billed separately as a Residential Unit.
- 1.24. **Residential Waste:** All Refuse, Garbage and Rubbish generated by a Customer at a Residential Unit, excluding Unacceptable Waste.
- 1.25. **Rubbish:** Nonputrescible Solid Waste (excluding ashes), consisting of both combustible and noncombustible waste materials. Combustible rubbish includes paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, or similar materials; noncombustible rubbish includes glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that will not burn at ordinary incinerator temperatures (1,600 degrees Fahrenheit to 1,800 degrees Fahrenheit).
- 1.26. **Single Stream Materials:** All materials deposited by a Customer in the Customer's Recycling Container, including any Recyclables and Non-Recyclables.
- 1.27. **Solid Waste or Waste:** All Residential Waste to be collected by Contractor pursuant to this Agreement. The term "Solid Waste" or "Waste" specifically excludes Unacceptable Waste.
- 1.28. **Special Waste:** Waste that requires special handling and management due to the nature of the waste, including, but not limited to, the following: (A) containerized waste (e.g. a drum,

barrel, portable tank, box. pail. etc.), (B) waste transported in bulk tanker, (C) liquid waste, (D) sludge waste, (E) waste from an industrial process, (F) waste from a pollution control process, (G) residue and debris from the cleanup of a spill or release of chemical(s), or (H) any other waste defined by applicable law, rule or regulation as "Special Waste."

- 1.29. **Third Party Provider:** A commercial business enterprise or commercial service provider providing services to Residential Units.
- 1.30. **Unacceptable Waste:** Any waste or material that (i) the acceptance and handling of which by Contractor would cause a violation of any permit, condition, legal or regulatory requirement, (ii) substantial damage to Contractor's equipment or facilities, or (iii) contains information (in hard copy or electronic format) that is protected or regulated under any local, state or federal privacy or data security laws, including without limitation, the Health Insurance Portability and Accountability Act (HIPAA), or (iv) presents a danger to the health or safety of the public or Contractor's employees, and/or (v) is or contains Hazardous Waste, Special Waste, untreated Medical Waste, Dead Animals weighing ten pounds (10 lbs.) or greater, or (vi) is or contains solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit, or (vii) is soil, dirt, rock, sand, and other natural or man-made inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements, or (viii) results from activities associated with the exploration, development, or production of oil or gas or geothermal resources.
- 1.31. **Unusual Accumulations:** Any Residential Unit Waste or Single Stream Materials placed curbside for collection in excess of the volumes permitted by this Agreement or placed outside a Polycart. Contractor has the right to take photographic evidence of Unusual Accumulations, and to assess an overage charge for the collection of such Unusual Accumulations.
2. **GRANT OF EXCLUSIVE FRANCHISE:**
3. **Contractor is hereby granted the exclusive right and privilege to provide for the collection and disposal of Waste from Residential Units and the collection of Recyclable Materials from Residential Units within (1) all property located within the City limits where residents receive a City utility bill, and (2) all property located within Brazoria County Municipal Utility District No. 32, No. 53, and No. 55 that are within the corporate limits of the City, as such limits may be amended from time to time, including any tracts, territories, or areas hereafter annexed to or otherwise acquired by the City, subject to the terms of this agreement. TERM:**
- 3.01. The Agreement shall remain in full force and effect for and effect until March 31, 2031; provided, however, that the term of this Agreement shall extend without further action of the parties for two (2) additional terms of one (1) year each, unless, not less than sixty (60) days before the termination of the then-current term, one

party advises the other in writing of its desire to terminate this Agreement at the conclusion of the then current term of the Agreement.

4. **RATES:**

Contractor is authorized to charge, and shall receive from the City, a rate of \$25.20 per Residential Unit per month ("Base Rates") as payment in full for all services provided to the City. If a Residential Customer requests an additional Polycart, Contractor shall provide the additional Polycart and invoice the City directly at a charge of \$6.00 per month per additional Polycart. The Base Rates and additional Polycarts are subject to adjustment as set forth in Section 8 below.

5. **CONTRACTOR SERVICES:**

5.01 **Residential Collection:**

(a) Contractor shall collect Residential Waste generated at a Residential Unit and placed in that Residential Unit's Polycart twice per week during the term of this Agreement. Waste Polycarts shall be placed within three (3) feet of the curb, swale, paved surface of the roadway, or other location agreed to by Contractor and Customer that will provide safe and efficient accessibility to Contractor's collection crew and vehicle. Contractor has no obligation to collect any Residential Waste not properly placed into a Polycart or overloaded into a Polycart or to collect any Polycart carrying Unacceptable Waste.

(b) Construction Debris generated at a Residential Unit by a Third-Party Provider shall be deemed Commercial Waste and is outside the scope of this Agreement. Construction Debris generated at a Residential Unit by the owner or tenant of that Residential Unit, and not utilizing the services of a Third-Party Provider, shall be subject to the Bulky Waste limitations set forth in this Agreement.

5.02 **Residential Brush/Bulky Waste Collection:** Contractor shall provide once per week collection service to Residential Units for the collection of Brush, Bulky Waste and Bundles. Contractor agrees to collect up to, but not to exceed, eight (8) items or three (3) cubic yards of Brush, Bulky Waste and Bundles per month from each Residential Unit. Contractor shall have no obligation to collect any Brush, Bulky Waste or Bundles in excess of the above volumes, or any Construction Debris generated by a Third-Party Provider hired by a Customer and generated and located at that Residential Unit. Brush, Bulky Waste and Bundles shall be placed within three (3) feet of the alleyway/roadway, closest accessible roadway, or other location agreed to by Contractor and Customer that will provide safe and efficient accessibility to Contractor's collection crew and vehicle.

5.03 **Residential Recyclables Collection:**

(a) **Frequency.** Contractor shall provide twice per month collection service of Recyclables placed in Recyclable Containers from Residential Units. Contractor shall not be required to collect any Recyclable Materials that are not placed in a Recycling Container. In addition, Contractor shall not be required to collect Recyclable Materials if the Customer does not segregate the Recyclable Materials from the remainder of the Residential Waste.

**(b) Recyclables Specifications.**

**RECYCLABLES** must be dry, loose (not bagged) and include **ONLY** the following:

Aluminum cans - empty	Newspaper
PET bottles with the symbol #1 - with screw tops only - empty	Mail
HOPE plastic bottles with the symbol #2 (milk, water bottles detergent. and shampoo bottles, etc.) - empty	Magazines, glossy inserts and pamphlets
Plastic containers with symbols #3-#7 - empty (no expanded polystyrene)	Uncoated paperboard (ex. cereal boxes; food and snack boxes)
Steel and tin cans - empty	Uncoated printing, writing and office paper
Phone books	Old corrugated containers/cardboard (uncoated)
Glass food and beverage containers - brown, clear, or green - empty	Cartons
Aseptic containers	

**NON-RECYCLABLES** include, but are not limited to the following:

Plastic bags and bagged materials (even if containing Recyclables)	Microwaveable trays
Mirrors	Window or auto glass
Light bulbs	Coated cardboard
Porcelain and ceramics	Plastics unnumbered
Expanded polystyrene	Coat hangers
Glass and metal cookware/bakeware	Household appliances and electronics
Hoses, cords, wires	Yard waste, construction debris, and wood
Flexible plastic or film packaging and multi-laminated materials	Needles, syringes, IV bags or other medical supplies
Food waste and liquids, containers containing such items	Textiles, cloth, or any fabric (bedding, pillows, sheets, etc.)
Excluded Materials or containers which contained Excluded Materials	Napkins, paper towels, tissue, paper plates, paper cups, and plastic utensils
Any Recyclable materials or pieces of Recyclables less than 4" in size in any dimension	Propane tanks, batteries

(c) **Delivery Specifications.** Recyclables shall not contain Non-Recyclables or Unacceptable Waste. Contractor may reject in whole or in part. or may process, in its sole discretion, Recyclables not meeting the specifications, and the City shall pay and reimburse Contractor for all costs, losses and expenses incurred with respect to such non-conforming Recyclables including costs for handling, processing, transporting and/or disposing of such non-conforming Recyclable Materials which charges may include an amount for Contractor's operating or profit margin. Without limiting the foregoing, City shall pay a contamination charge for additional handling, processing, transporting and/or disposing of Non-Recyclables, Unacceptable Materials, and/or all or part of non-conforming loads and additional charges may be assessed for bulky items such as appliances, concrete, furniture, mattresses, tires,

electronics, pallets, yard waste, propane tanks, etc. Contractor reserves the right upon notice to discontinue acceptance of any category of Recyclables set forth above as a result of market conditions related to such materials and makes no representations as to the recyclability of the materials. Single Stream Materials collected within the City and delivered by Contractor to the Recycling Facility may not contain more than 15% Non-Recyclables or Unacceptable Waste. A report of each nonconforming load detailing the composition of the load and including photographic evidence of the load will be provided to the City within 24 hours of the load being transported to the Disposal Facility. Appliances or "white goods" such as a freezer, refrigerator, water cooler, dehumidifier, air conditioner and any other appliances containing refrigerants must be tagged certifying that all refrigerants have been removed by a certified refrigerant technician prior to their placement for collection.

**(d) Recycling Market Changes:** The market for Recyclables continues to evolve and is volatile. As such, Contractor cannot make any representations as to the marketability of the Recyclables, and when no reasonable commercial market exists for a commodity, Contractor and/or the MRF reserves the right to dispose of that material. Contractor also reserves the right to add or delete materials from the list of Recyclables based upon requests, demands, or requirements made by the MRF, changes in market conditions, uncontrollable circumstances, governmental restraint, or changes in foreign or domestic laws, rules, regulations, orders, proclamations, or ordinances or the enforcement thereof, and Contractor will provide written notice to the City of those changes. In the event that such a request, demand, requirement, or change has the effect of materially altering the terms of this Agreement or substantially affects the benefit(s) bargained for by the parties, the parties agree to amend the terms of the recycling portion of the Agreement to reflect the current market or legal conditions.

#### 5.04 **Residential Carts:**

(a) Contractor shall provide one (1) Polycart and one (1) Recycling Container to each Residential Unit. Polycarts and Recycling Containers (together, the "Carts") shall be placed by the Customer of a Residential Unit in a location that is readily accessible to Contractor and its collection equipment, not to exceed three (3) feet from the curb or edge of the travel portion of the street, road or alley, and not to be located in a manner that will block the driveway or mailbox or otherwise inhibit proper servicing. The City shall aid Contractor in resolving problems of Cart location by the Customer. Customers shall not overload Carts, and the Carts shall be loaded such that the lids shall close securely.

(b) The Carts furnished by the Contractor hereunder shall remain the property of Contractor, and the Customer will have no interest in the Carts. The Carts shall remain at the location of the Residential Unit where delivered by Contractor. The Customer shall be responsible for all loss or damage to the Carts, except for normal wear and tear or for loss or damage resulting from Contractor's handling of the equipment. Any Cart removed from a Residential Unit shall be deemed lost, and Contractor shall be entitled to compensation by the City therefor. Additional Carts are available for residential Customers at an additional charge to be paid by the Customer. In the event a Cart should be lost or damaged, Contractor agrees to replace such lost Cart with a new Cart, at a cost of \$70.00 to the City, as to a Polycart, and \$70.00 as to a Recycling Container.

- 5.05. **Unusual Accumulations Collection:** When a Customer desires collection of more material than the weekly limit, the resident can request and Unusual Accumulations Collection for a fee. The fee will reflect a cost per hour for the vehicle, plus applicable disposal. Any additional fees that might be charged to a Customer for services that will be rendered over and above the requirements of the Contract will be determined after visual inspection by Contractor and the City and such fees will be approved by the Customer prior to commencing work.
- 5.06. **Unacceptable Waste:** Contractor shall not be obligated to collect Unacceptable Waste. Title to Unacceptable Waste shall not pass to Contractor, and liability for any Unacceptable Waste shall remain with the generator of such Waste.
- 5.07 **Amenity Area:** Contractor shall furnish waste collection from the City's park, and the Meridiana Oasis Village at no additional charge to the City; provided the waste is set out on the same schedule and limitations as the residential unit service.
- 5.08 **Public Education Campaign:** To inform and educate Residential Customers regarding Contractor's commencement of services under this Contract, Contractor shall, at Contractor's cost, and with the City's prior approval of documents, distribute a professionally prepared brochure to each Residence prior to the commencement of collection by Contractor which brochure shall, as a minimum describe the upcoming changover in the provider of Waste Material, Recyclable Material and Bulk Waste collection services to Residential Customers, the date Contractor will start providing such services, Contractor's contact information to be used by Residential Customers wishing to ask questions or lodge complaints, and any other relevant information necessary to enhance community education.
- 5.09 **Community Outreach and Event Support:** As part of Contractor's public education and community outreach efforts under this Agreement, Contractor shall support City-sponsored community events during the term of this Agreement. Contractor shall provide, at no cost to the City, temporary waste and recycling containers and related collection services for City-sponsored events, as reasonably requested by the City.
- In addition, Contractor shall participate annually as a sponsor of the City of Iowa Colony's Annual FourthFest celebration at a minimum level equivalent to a Silver sponsorship tier, in an amount not less than Two Thousand Five Hundred Dollars (\$2,500.00), or at a higher sponsorship level as determined by Contractor.
- 5.10 **Reports:** Contractor shall provide quarterly reports or notification to the City in addition to any daily reports. If not established by an outside authority, report formats will be mutually agreed to by the Contractor and the City. Quarterly reports shall be submitted to the City in a format acceptable to the City on or before the tenth (10<sup>th</sup>) day of the first month of each calendar quarter and shall contain the number of households serviced and quarterly tonnages by each category of service.
- 5.10 **Special Needs Waste Placement for Collection Assistance:** If the City deems all residents of a Single Family Residence are handicapped or due to age or verified physical limitations cannot safely move their bags to the curb, Contractor personnel will collect the bags at the side yard or garage door. All requests for collection assistance will be approved by the City and then relayed by the City to Contractor. The rate for the collection of Special

Needs carts shall be the same as a regular collection.

6. **COLLECTION OPERATION:**

- 6.01. **Hours of Operation:** Collection of Residential Waste shall begin no earlier than 7:00 A.M. and shall generally not extend beyond 7:00 P.M. No collection shall be made on Sunday.
- 6.02. **Routes of Collection:** Collection routes shall be established by the Contractor as reasonably approved by City. City shall provide Contractor with maps of the City containing sufficient detail for Contractor to design collection routes. Contractor reserves

the right to change or alter the times and routes of collection. Contractor shall give at least five (5) business days' notice if any such action is contemplated.

- 6.03. **Holidays:** Collection shall be made on all collection dates that fall on  
Holidays, on the next day following the Holiday, or, when applicable, on the next regularly scheduled collection day following the Holiday.
- 6.04. **Complaints:** Customer complaints shall be directed to Contractor.,Contractor shall provide and maintain a publicly accessible customer service telephone number and electronic contact method for receipt of complaints during normal business hours. Contractor shall promptly resolve such complaint based on the nature of the complaint. Contractor shall be responsible for maintaining a log of all complaintsreceived, including the date, the nature of the complaint, and the resolution thereof. Contractor shall provide such log to the City as a part of monthly reporting, and upon request.. Any alleged missed pickups will be investigated and, if such allegations are verified, Contractor shall arrange for collection on the next business day after receipt of such complaint. If the missed pickup is a result of Customer related acts or omissions,the Contractor shall notify the Customer of the proper procedures for set-out of Waste and may notify the City if further action is required.
- 6.05. **Collection Equipment:** Contractor, at its sole cost and expense, agrees to furnish, all trucks, equipment, machines, and labor which are reasonably necessary to adequately, efficiently, and properly collect and transport Waste from Customers serviced by Contractor in accordance with this Agreement. All motor vehicles used in performance of

the obligations herein created shall be clearly marked with the Contractor's name and unit number. All collection equipment shall be maintained in an efficient working condition throughout the term of this agreement. Such vehicles shall be maintained and painted as often as necessary to preserve and present a well-kept appearance, and Contractor shall have a regular preventive maintenance program. City may inspect Contractor's vehicles at any time to ensure compliance of equipment with this Agreement. Such vehicles shall be washed and painted or repainted as often as necessary to keep them in a neat and sanitary condition.

- 6.06. **Disposal:** The Contractor shall deliver Waste collected to a duly permitted Disposal Site operated in compliance with rules stipulated by the applicable state agency and/or the U.S. Environmental Protection Agency.
- 6.07. **Spillage:** The Contractor shall not be responsible for scattered Waste unless the same has been caused by Contractor, in which case all scattered Waste shall be timely collected by Contractor.
- 6.08. **Protection From Scattering:** Each rolloff shall be equipped with a cover which may be net with mesh not greater than one and one-half (1-1/2) inches, or tarpaulin, or fully enclosed metal top to prevent leakage, blowing or scattering of Waste onto public or private property.
- 6.09. **Point of Contact.** All dealings and contacts between Contractor and the City shall be directed between the Public Sector representative of Contractor. or such other individual identified by Contractor. and the Contract Administrator designated by the City.
- 6.10. **License and Taxes:** Contractor shall obtain at its sole expense all licenses and permits required by the State to perform the service and shall maintain same in full force and effect.

7. **BILLING:**

City shall provide billing and bill collection services for Residential Units during the term of this Agreement. Within fifteen (15) days of the end of each month during which collection services are provided by Contractor hereunder, Contractor shall submit to the City an invoice setting forth sums due by the City to Contractor for services rendered under this Agreement for the prior month. City shall remit to Contractor payment for such services within thirty (30) days after receipt of invoice. Past due invoices shall bear interest at the highest rate permitted by law. The City shall notify Contractor in writing of any Customer that City direct bills and that has failed to timely pay the City for waste collection services, and Contractor shall have the right to suspend service to such delinquent Customer until notified by the City to resume such services. If Contractor suspends service to a Customer for failure to timely pay invoices, Contractor has the right to charge a service reactivation fee. If Contractor suspends service to a Customer for failure to timely pay Contractor invoices, Contractor has the right to assess a finance charge or late payment fees to the Customer if such service to the Customer is reinstated.

8. **MODIFICATION TO RATES:**

**CPI Adjustment:** The rates and compensation payable under this Agreement shall be subject to annual adjustment based on the percentage change in the Consumer Price Index

for All Urban Consumers (CPI-U), specifically the sub-index for Garbage and Trash Collection in the U.S. City Average, Series ID: CUSR0000SEHG02, as published by the United States Department of Labor, Bureau of Labor Statistics (the "Index"), with the adjustment calculated as the average percent change over the previous twelve (12) months by comparing the average Index value for the most recent twelve-month period to the average for the immediately preceding twelve-month period, provided that for contract years 2 and 3 any upward adjustment shall be capped within a range of two percent (2%) to four percent (4%) per year (with any downward change applied in full), for contract years 4 and 5 adjustments shall be uncapped and reflect the full calculated percentage change (upward or downward), and in all cases the proposed annual adjustment shall become effective only upon the parties' mutual written agreement following Provider's delivery of written notice with supporting BLS documentation and good-faith review by both parties (which agreement shall not be unreasonably withheld, conditioned, or delayed).

8.01 **Additional Adjustments:** Contractor shall also be entitled to petition the City for an increase in Base Rates from time to time during the term of this Agreement, and upon sixty (60) days' written notice to the City, to offset any documented, material change in conditions which increase the Contractor's costs, including but not limited to, increases in disposal costs, increases in landfill fees, changes in the ordinances under which the Contractor is to operate, or changes in federal, state or local laws, rules or regulations. Documentation of such increases shall be submitted to the City in sufficient detail to allow the City to verify the basis for the requested adjustment. Any such increase shall not be effective until approved by the City Council. Any approved increase shall not exceed the lesser of (i) the percentage increase range agreed upon in the previous section, or (ii) five percent (5%) in any twelve-month period, unless the City Council determines that extraordinary circumstances justify a greater adjustment. The City shall have up to ninety (90) days to review and act upon Contractor's written request. If the City denies or takes no action on Contractor's written request, then the Contractor shall first meet and confer with the City regarding the request; and shall continue to perform under this Agreement, however, if the parties fail to reach an agreement, Contractor then has the right to terminate this Agreement upon at least sixty (60) days written notice to the City.

## 9. **CITY'S OBLIGATIONS:**

The City agrees to perform all obligations required of the City pursuant to the terms of this Agreement, including, but not limited to the following:

- (a) The City shall communicate City decisions to Contractor on a timely basis from time to time as required under this Agreement;
- (b) The City shall provide the total number of Residential Units to the Contractor no later than the 25<sup>th</sup> day of each month (i.e., the total house count that is to receive Contractor services). Contractor will use that monthly Residential Unit total in its next invoice to the City. If the City fails to provide a number, Contractor has the right to use the prior house count for invoicing purposes. Contractor has no responsibility for any incorrect house counts

provided by the City, but has the right, in its discretion, to verify the Residential Unit count information provided by the City. Any error or mistakes in the Residential Unit count provided by the City to Contractor shall be corrected within six months of the date provided or the mistake is waived and released by both parties;

- (c) The City shall timely pay Contractor pursuant to Section 7 of this Agreement; and
- (d) The City shall work with Contractor in good faith to resolve complex Customer service issues.

**10. DISASTER EVENT:**

Contractor and City understand and agree that, in the event of a hurricane, tornado, major storm, flood, natural disaster war, act of terrorism, or other act of God ("Disaster Event"), Contractor shall have no obligation under this Agreement to collect any material or debris resulting from the Disaster Event. City agrees to provide Contractor may, at the request of the City and subject to mutual written agreement regarding scope of services, pricing, and applicable regulatory compliance requirements, provide disaster-related debris removal or other emergency services. Any such services shall be performed pursuant to a separate written amendment or emergency services agreement approved by the City.

**11. COMPLIANCE WITH LAWS:**

Contractor, its officers, agents, employees, contractors, and subcontractors, shall abide by and comply with all existing laws and laws which may be enacted by the federal, state, and local governments. It is expressly agreed that nothing in this Agreement shall be construed in any manner to abridge the right of the City to pass or enforce necessary police and health regulation for the protection of its inhabitants. It is further agreed and understood that, if the City calls the attention of the Contractor to any such violations on the part of the contractor, its officers, agents, employees, contractors, or subcontractors, then Contractor shall immediately desist from such activity and correct such violation.

**12. CONTACT HOURS:**

Contractor shall maintain a telephone service or such other facility through which it may be contacted by telephone without charge. Such service shall be equipped with sufficient telephones and shall have a responsible person in charge between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

**13. ENFORCEMENT:**

Contractor shall have all rights and remedies available to it under Texas law to collect delinquent payment of fees by City and/or Customers. The City agrees to take reasonable steps necessary and permitted by law to require Customers to comply with the terms of this Agreement.

**14. DISPOSAL FACILITY:**

Contractor shall maintain during the term here of adequate disposal availability at a permitted, licensed disposal facility with capacity for the City's needs.

**15. TERMINATION:**

Except as otherwise provided herein, if either party defaults in the performance of any of the covenants or conditions contained herein, and fails to cure such default within thirty (30) days after the non-defaulting party has given the defaulting party written notice of such default (or if such default is of a nature that it cannot be cured within such thirty (30) day period, the defaulting party fails to commence the curing of such default within such thirty (30) day period, and fails to thereafter diligently pursue the curing thereof) (the "Cure Period"), the non-defaulting party may: (a) terminate this Agreement as of any date which the non-defaulting party may select, provided said date is at least thirty (30) days after the expiration of the Cure Period; (b) cure the default at the expense of the defaulting party; and/or (c) have recourse to any other right or remedy to which it may be entitled by law, including, but not limited to, the right to all damages or losses suffered as a result of such termination. In the event either party waives default by the other party, such waiver shall not be construed or determined to be a continuing waiver of the same or any subsequent breach or default.

**16. DISPUTE RESOLUTION:**

The parties shall endeavor to settle all disputes under, or relating to, this Agreement by amicable negotiations. Except as otherwise provided herein, any claim, dispute, disagreement or controversy that arises among the parties under or relating to this Agreement that is not amicably settled shall be submitted to mediation. If the parties remain unable to resolve the controversy through mediation, then either party may pursue their claim, dispute, and/or disagreement or controversy in a court with proper venue in the State of Texas.

**17. FORCE MAJEURE:**

The performance of this Agreement may be suspended, and the obligations of either party excused in the event of and during the period that such performance is prevented or delayed by a Force Majeure occurrence. "Force Majeure" shall mean (a) An act of God, including hurricanes, tornadoes, landslides, lightning, earthquakes, weather conditions, fire, flood, explosion, sabotage or similar occurrence, acts of a public enemy, extortion, war, blockade or insurrection, riot, civil disturbance, strike or other labor disturbances, foreign or domestic governmental actions or regulations, governmental requests or requisitions for national defense, or breakdown or injury to, or shortage in, facilities used for the handling, processing or transportation of Solid Waste or Recyclables or any other similar cause beyond the reasonable control of either party: or (b) a Change in Law. "Change in Law" means (i) the adoption, promulgation, enforcement, or modification or reauthorization after the date of this Agreement of any foreign or domestic law, regulation, order, statute, ordinance, rule or binding governmental ruling or order that was not adopted, promulgated, enforced, modified or reauthorized on or before the date of this Agreement, or (ii) the imposition of any material conditions in connection with the issuance, renewal, or modification of any permit, license, registration, notice of intent or approval after the date of this Agreement, which in the case of either (a) or (b) establishes requirements affecting a party's operation

under this Agreement more burdensome than the requirements that are applicable to such party and in effect as of the date of this Agreement. A change in any federal, State, county, or other tax law or workers compensation law shall not be a Change of Law. However, in the event that a federal, State or local entity imposes a fee, charge or tax after the date of this Agreement that applies to a party's operations per se, such fee, charge or tax shall be treated as a Change in Law.

For any reduction in services or change in the Residential Unit Waste or Recyclables collection schedule due to Force Majeure, Contractor is responsible for promptly providing notification messaging describing the service reduction or change in collection schedule on Contractor's website and providing notice by telephone, email, or other method to the City as set forth in Section 21 of this Agreement.

**18. EVIDENCE OF INSURANCE:**

Contractor shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property, which may arise from or in conjunction with the performance of the work hereunder by the Contractor, its agents, representatives, employees, or subcontractors. The City shall be named as an additional insured under the policies. except for workers' compensation, subject to Contractor's indemnities set forth herein. All policies shall contain a waiver of subrogation in favor of the City and the City's agents and employees. In addition, all of the policies shall be endorsed to provide that they are primary coverages and not in excess of any other insurance available to the City, and without rights of contribution or recovery against the City or from any such other insurance available to the City. Contractor shall obtain insurance from companies having a B+NII or better and licensed to transact business in the state of Texas. Contractor shall provide the City with a certificate of insurance reflecting the City's additional insured status and agreeing to give the City at least 30 days' written notice in case of policy termination, except 10 days' notice for cancellation due to premium non-payment. The cost of such insurance shall be borne by the Contractor.

<b>Type of Coverage</b>	<b><u>Minimum Limits of Insurance:</u></b>	
	<b>Per Occurrence Minimum</b>	<b>Aggregate Minimum</b>
Workers Compensation	As required by law and shall cover all employees including drivers	As required by law.
Commercial General Liability Bodily Injury/Property Damage	\$1,000,000 \$1,000,000 occurrence combined single limit	\$1,000,000
Commercial Auto Liability Bodily Injury/Property Damage	\$1,000,000 \$1,000,000 each accident combined single limit	\$1,000,000
Excess/Umbrella Liability	\$ 1,000,000 occurrence	\$2,000,000

**19. INDEMNITY:**

(A) TO THE FULLEST EXTENT PERMITTED BY LAW, CONTRACTOR SHALL INDEMNIFY, HOLD HARMLESS AND DEFEND CITY , AND ALL OF ITS OFFICERS,

DIRECTORS, AGENTS AND EMPLOYEES, FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING, BUT NOT LIMITED TO, REASONABLE ATTORNEYS FEES, ARISING OUT OF OR RESULTING FROM BODILY INJURY OR DEATH OF ANY PERSON OR PROPERTY DAMAGE, INCLUDING LOSS OF USE OF PROPERTY, BUT ONLY TO THE EXTENT CAUSED IN WHOLE OR IN PART BY ANY BREACH OF CONTRACT OR NEGLIGENT ACT OR OMISSION OR WILLFULL MISCONDUCT OF CONTRACTOR OR ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY CONTRACTOR OR ANYONE FOR WHOSE ACTS CONTRACTOR MAY BE LIABLE, ARISING OUT OF OR RELATING TO THIS CONTRACT OR CONTRACTOR'S PERFORMANCE OF THE WORK.

**20. OWNERSHIP:**

Title to Waste shall pass to Contractor when placed in Contractor's collection vehicle. Title to Unacceptable Waste shall remain with the generator of such Unacceptable Waste.

**21. SEVERABILITY:**

Should any portion of this Agreement be deemed invalid or unenforceable to any extent, the parties hereto agree that such provision shall be amended to the minimum extent necessary to make such provision enforceable, and the remainder of this Agreement shall not be affected thereby.

**22. ATTORNEY'S FEES AND VENUE:**

In the event suit is filed by either party as a result of the performance or non-performance of the terms set forth in this Agreement, the prevailing party shall recover its attorney fees and court costs, with venue of any such action to be in Brazoria County, Texas.

**23. NOTICES:**

All notices or other communications required or permitted to be given pursuant to this Agreement shall be in writing and shall be considered as properly given (i) if mailed by first class United States mail, postage prepaid, registered or certified with return receipt requested, (ii) by delivering same in person to the intended addressee, or (iii) by delivery to an independent third party commercial delivery service for same day or next day delivery and providing for evidence of receipt at the office of the intended addressee. Notice so mailed shall be effective upon its deposit with the United States Postal Service or any successor thereto; notice sent by such a commercial delivery service shall be effective upon delivery to such commercial delivery service; notice given by personal delivery shall be effective only if and when received by the addressee; and notice given by other means shall be effective only if and when received at the office or designated place or machine of the intended addressee. For purposes of notice, the addresses of the parties shall be as set forth below; provided, however, that either party shall have the right to change its address for notice hereunder to any other location within the continental United States by the giving of thirty (30) days' notice to the other party in the manner set forth herein.

If to the City, at: City of Iowa Colony  
3144 Meridiana Parkway  
Iowa Colony, Texas 77583

If to the Contractor at: Best Trash, LLC

19430 FM 1093 RD  
Richmond, TX 77407

or such other addresses as the parties may hereafter specify by written notice delivered in accordance herewith.

**24. RECORDS:**

City and Contractor agree to maintain adequate records relating to the performance of their respective duties under this Agreement. Such records shall be available at any time during reasonable business hours upon a mutually agreeable date for inspection by the other party, at the inspecting party's expense, and upon reasonable advance notice; provided, however, only records directly relating to this Agreement and necessary to substantiate invoicing must be disclosed to the other party.

**25. INDEPENDENT CONTRACTOR:**

Contractor shall perform all work and services herein and described as an independent contractor and not as an officer, agent, servant or employee of the City. Contractor shall have exclusive control in the exclusive right to control the details of the services and work performed hereunder and all persons performing the same, and nothing herein shall be construed as creating a partnership or joint venture between the City and the Contractor. No person performing any of the work of the services described hereunder shall be considered an officer, agent, servant or employee of the City, and no such person shall be entitled to any benefits available or granted to employees of the City.

**26. CONTRACTOR'S REPRESENTATIONS AND WARRANTIES:**

Contractor hereby represents and warrants to City as follows:

- 1.01. Contractor has the power and authority to enter into this Agreement. This Agreement, when executed by all parties will be valid and binding obligation of the Contractor, enforceable in accordance with its terms.
- 1.02. Contractor possesses all necessary licenses, permits and approvals to perform the services described herein.
- 1.03. Contractor is experienced and qualified to perform the services set forth herein, and is properly staffed and, organized to perform the services in a professional manner.

**27. FOREIGN TERRORIST ORGANIZATIONS:**

Pursuant to Chapter 2252, Texas Government Code, Contractor represents and certifies that, at the time of execution of this Agreement neither the Contractor, nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the same, is a company listed by the Texas Comptroller of Public Accounts under Sections 2270.0201 or 2252.153 of the Texas Government Code.

**28. ANTI-BOYCOTT VERIFICATION:**

As required by Chapter 2271, Texas Government Code, Contractor hereby verifies that Contractor, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the same, does not boycott Israel and will not boycott Israel through the term of this Agreement. The term "boycott Israel" in this paragraph has the meaning assigned to such term in Section 808.001 of the Texas Government Code.

Effective as of the \_\_\_\_, day of \_\_\_\_\_, 2026

CITY:

CONTRACTOR:

CITY OF IOWA COLONY

BEST TRASH, LLC

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Mark Moderski, President and CEO



# City Council Agenda Item Request Form

Item 18.

This form is required to be completed by the applicable deadline for placement of an item on the City Council Agenda.

Date: 1/16/2026

Department Making Request: 35 - Community Development

Person Making Request: Dinh Ho

Item Type: Ordinance

Budgeted? N/A (no cost) Cost: 0

If budgeted, identify account: [ ] [ ] [ ]

Short Description:

Consideration for the amendment to the sign ordinance to expand the requirements for subdivision monument signage.

Explanation/Justification Details:

Article III – Sign Regulations governs the placement, size, height, type, and permitting of signs within the City. Over time, staff has identified areas where the existing regulations could benefit from clarification and consolidation to reduce ambiguity, improve interpretation, and better align with current development patterns and administrative practices.  
  
The proposed amendments are presented to reflect revision to subdivision monument signage based on location on roadway classification as recommended by City Council and P&Z joint meeting.  
  
Staff recommends approval of the proposed amendments to Article III – Sign Regulations as presented.

Requestor Signature:

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This section to be completed by City Secretary, City Attorney, and City Manager's Office only:

Legal Review is complete, legal documents are prepared:

City Attorney

Item is approved for placement on Council Agenda:

City Manager

Item is scheduled for placement on the Council Agenda.

City Secretary

## ARTICLE III. REGULATIONS

### Sec. 30-61. Classification of signs.

For purposes of applying these regulations, all signs are defined and classified as follows:

- (1) Freestanding signs. This article allows only the following three types of freestanding signs and, regardless of any other provision, all other freestanding signs are hereby prohibited:
  - a. Monument signs;
  - b. Temporary freestanding signs (not including temporary freestanding special activity signs); and
  - c. Temporary freestanding special activity signs.
- (2) Wall signs.
- (3) Window and door signs.
- (4) Stake signs.
- (5) Wind device signs.
  - a. Banner signs; and
  - b. Balloon signs.
- (6) Flags and flagpoles.

(Ord. No. 2017-11-1, § 4, 5-30-2017)

### Sec. 30-62. Freestanding signs.

(a) *Manner of measurement.*

- (1) *Size.* The size of a sign is determined by its effective area.
  - a. For monument signs, the effective area includes the entire structure on which the sign is placed or mounted, but not including the portion of the sign base that extends directly below the sign face (see Figure 30-62A).

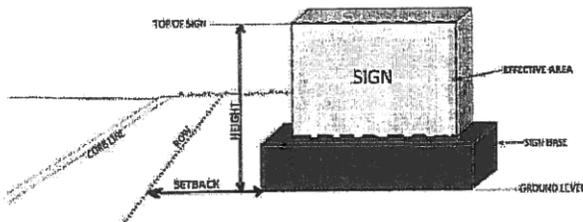


Figure 30-62A

- b. Temporary freestanding signs, temporary freestanding special activity signs and subdivision entrance signs are measured by the length and height of the sign face or display area only, not including the measurements of the support structure (see Figures 30-62B and 30-62C).

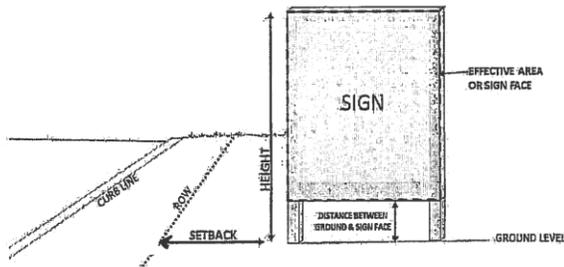


Figure 30-62B

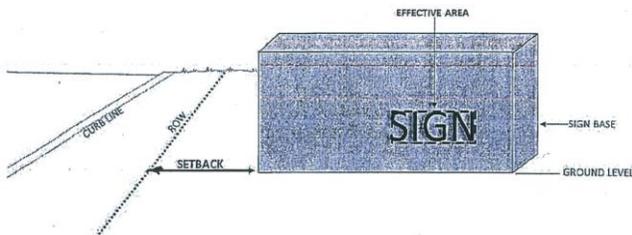


Figure 30-62C

- (2) *Setback*. The setback is measured perpendicularly from the property line to the closest point of the sign.
  - (3) *Height*. The height of a freestanding sign is measured from the natural ground level at the base of the sign to the highest point of the sign.
  - (4) *Width*. The width of a freestanding sign is measured along a line drawn from the outermost edges of the sign, parallel to the ground.
- (b) *Monument signs*. Except as otherwise provided in this section, monument signs must comply with the following requirements:
- (1) *Size*. The following table details size requirements for monument signs:

Table 30-62. Requirements for Monument Signs

Nonresidential Zoning District Monuments Regulations:

Requirements	<i>Nonresidential Zoning District or Nonresidential Use Not Having Frontage on State Highway 288 or Having Frontage on State Highway 6</i>	Nonresidential Zoning District or Nonresidential Use with Frontage on State Highway 288
Maximum effective area (sq. ft.)	60	96
Maximum height (ft.)	6	8
Minimum setback (ft.)	0	0
Number per feet of frontage	1 for the first 250, 1 for each additional 250, maximum 2 per tract	1 for the first 250, 1 for each additional 500

Residential Zoning District Monuments Regulations:

Requirements	<i>Residential Zoning District or Residential Use with Frontage on SH 288</i>	<i>Residential Zoning District or Residential Use with Frontage on SH 6, Major Thoroughfare or Major Collector</i>	<i>Residential Zoning District or Residential Use (all others roadways)</i>
Maximum effective area (sq. ft.)	150	100	36
Maximum height (ft.)	16	10	4
Minimum setback (ft.)	3	3	3
Number per feet of frontage	1/500	1/500	1/500

(2) *Location; additional spacing requirements.*

- a. A monument sign may not be located within 50 feet of another freestanding sign on another premises.
- b. A monument sign may not be located within 125 feet of another freestanding sign on the same premises.
- c. A monument sign may not be placed or located within the public right-of-way unless the city gives its written consent to the encroachment.

(3) *Materials.* All monument signs must be designed and constructed to substantially appear as a solid mass, such as a cinderblock, rectangle, or square, from ground level to the highest portion of the sign. All monument signs must be made of masonry, metal, routed wood planks or beams, or durable plastic, with durable surface ornamentation such as ceramic tile or such.

- (4) *Number.* All signs with one common supporting structure are counted together as one sign for purposes of applying the regulations on the number of monument signs allowed on any one premises.
- (5) *Permit.*
- a. It is unlawful for any person to place, locate, relocate, erect, construct, replace or alter the size or shape of any part of a monument sign, including the face or other integral part, or to thereafter make use of a sign without having first secured a sign permit from the city as required, except as otherwise provided in this article.
  - b. A sign permit is not required to repaint a sign or to restore a conforming sign to its original condition if the sign otherwise complies with this article, or to periodically change only the letters, numbers or message portion of a conforming sign.
  - c. Unless earlier revoked, a sign permit to construct, erect or place a monument sign is valid for 180 days from the date of issuance.
- (6) *Additional regulations.*
- a. Size exception for monument signs in nonresidential districts or nonresidential uses with State Highway 288 frontage. Any real property located in a nonresidential district or nonresidential use with State Highway 288 frontage that would be allowed to have three or more monument signs under Table 30-62 may choose to have one monument sign with a maximum effective area of 120 square feet and a maximum height of ten feet and another monument sign with a maximum effective area of 96 square feet and a maximum height of eight feet, in lieu of all other monument signs allowed under Table 30-62.
  - b. Off-premises signs and on-premises signs in the ETJ. The regulations of Table 30-62 applicable to nonresidential zoning districts apply to all off-premises and on-premises monument signs located in the city's extraterritorial jurisdiction based on land use.
  - c. Subdivision entrance signs must meet the requirements for monument signs in this article but have a different method of calculating the maximum effective area, see subsection (a) of this section.
  - d. A monument sign shall not contain off-premises advertising.
- (c) *Temporary freestanding sign.*
- (1) *Size.* A temporary freestanding sign must have a maximum effective area of 32 square feet and a maximum height of eight feet.
  - (2) *Location.* A temporary freestanding sign must comply with the following spacing requirements:
    - a. For properties in residential zoning districts or residential uses, spacing requirements are one per 500 feet.
    - b. For properties in nonresidential zoning districts or nonresidential uses, spacing requirements are one per the first 125 feet and one per each additional 250 feet.
    - c. A temporary freestanding sign may not be located within 50 feet of any freestanding sign on other premises.
    - d. A temporary freestanding sign may not be located within 125 feet of any freestanding sign on the same premises.
    - e. A temporary freestanding sign may not be placed or located within the public right-of-way unless the city gives its written consent to the encroachment.

- (3) *Materials.* A temporary freestanding sign must be made of plywood, fiber cement board, or durable plastic. Temporary freestanding signs may not be lighted or illuminated and may not be an electronic sign.
- (4) *Permit.*
- a. It is unlawful for any person to place, locate, relocate, erect, construct, or alter the size or shape of any part of a temporary freestanding sign, including the face or other integral part, or to thereafter make use of a sign without having first secured a sign permit from the city as required, except as otherwise provided in this article.
  - b. A new sign permit is not required to repaint or maintain a temporary freestanding sign or to restore a conforming and permitted temporary freestanding sign to its original condition if the sign otherwise complies with this article, or to periodically change only the letters, numbers or message portion of a conforming temporary freestanding sign.
  - c. A temporary freestanding sign permit is valid on any one temporary freestanding sign on one premises for a maximum of 75 days in any one calendar year. If locating a temporary freestanding sign for more than 75 days, the temporary freestanding sign permit must be renewed prior to the expiration of the then valid sign permit.
- (5) *Additional regulations.* A temporary freestanding sign shall not contain off-premises advertising.
- (d) *Temporary freestanding special activity signs.*
- (1) *Types of temporary freestanding special activity signs.*
    - a. *Temporary special events signs.* Signs announcing special events, including, but not limited to, auction, grand opening, new management, going out of business, and events sponsored by religious, charitable, or public service groups and organizations. Businesses, individuals, or organizations may display up to six times in a 12-month period, a maximum of two signs for up to seven continuous days prior to a special event. Such signs shall not exceed 16 square feet in area, and shall be removed immediately following the end of the event.
    - b. *Temporary farm products signs.* Temporary on-premises signs announcing the availability of seasonal farm products for 60 days which may be renewed on a case-by-case basis. The number of signs shall not exceed two and the total area of all such signs shall not exceed 20 square feet, nor shall any sign exceed six feet in height.
    - c. *Temporary business occupation signs.* Temporary on-premises signs identifying a business in shopping centers, multiple establishment on the same lot, or office and/or industrial centers until the completion of the signs of the shopping center, office and/or industrial center. The length of time for displaying a temporary business occupation sign shall not exceed 90 days.
    - d. *Temporary construction signs.* Temporary construction signs announcing new buildings or projects, temporary geographical directional signs, erected after the commencement of building construction or site development shall be limited to two construction signs per construction site, each sign not to exceed 24 square feet in area and eight feet in height. The temporary sign shall be removed by the time a permanent sign is erected or a certificate of occupancy for the building is issued, whichever occurs first. Temporary geographical directional signs shall be removed when the initial development of the subdivision is complete.
  - (2) *Size.* If not indicated otherwise in this section, a temporary freestanding special activity sign must have dimensions of four feet in width and eight feet six inches in height. The plywood face of the sign must be four feet by eight feet where no part of the frame or posts extend beyond the sign faces at the sides or top of the sign. The face of the sign must extend down to within six inches of the ground.

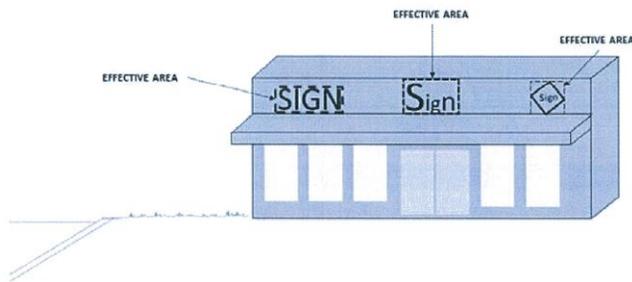
- (3) *Location.* If not indicated otherwise in this section, a temporary freestanding special activity sign shall comply with the following setback and spacing requirements:
- a. For properties in residential zoning districts or residential use, spacing requirements are one sign per 500 feet of frontage.
  - b. For properties in nonresidential zoning districts or nonresidential use, spacing requirements are one sign for the first 125 feet of frontage and one sign for each additional 125 feet of frontage.
  - c. A temporary freestanding special activity sign may not be located within 50 feet of any freestanding sign on another premises.
  - d. A temporary freestanding special activity sign may not be located within 125 feet of any temporary freestanding special activity sign on the same premises.
  - e. An off-premises temporary freestanding special activity sign may not be located within 2,000 feet of another off-premises temporary freestanding activity sign.
  - f. A temporary freestanding special activity sign may not be placed or located within the public right-of-way unless the city gives its written consent to the encroachment.
  - g. Temporary freestanding special activity signs located on sites with State Highway 288 frontage shall be allowed a maximum area and height of two times the standard required herein, but spaced twice the minimum distance indicated.
- (4) *Materials.* If not indicated otherwise in this section, a temporary freestanding special activity sign shall be constructed as follows:
- a. The sign face must be fabricated of one-half inch thick medium density overlay plywood or treated wood or fiber cement board mounted on both sides of a frame if the sign is placed perpendicular to the property line;
  - b. A temporary freestanding special activity sign may not be electronic, lighted or illuminated;
  - c. A temporary freestanding special activity sign must be anchored by two- to four-inch by four-inch treated wood posts or steel posts anchored in sand or concrete filled holes extending down at least two feet in the ground; and
  - d. The plywood face must be securely held to the frame by galvanized nails or screws installed with the heads flush to the surface, all seams are tight, all holes are filled and sanded smooth, and all surfaces are coated with primer and painted with good quality exterior-grade paint.
- (5) *Permit.* Unless indicated otherwise in this section:
- a. It is unlawful for any person to place, locate, relocate, erect, construct, replace or alter the size or shape of any part of a temporary freestanding special activity sign including the face or other integral part, or to thereafter make use of a temporary freestanding special activity sign without having first secured a sign permit from the city as required, except as otherwise provided in this article.
  - b. A sign permit, valid for one year and renewable for one additional year, may be issued for one temporary freestanding special activity sign on any one premises.
  - c. Unless earlier revoked, a sign permit to construct, erect or place a temporary freestanding special activity sign is valid for 180 days from the date of issuance.
- (6) *Master signage plan.* An overall master plan signage plan if submitted for recommendation by the planning commission will substitute for the requirements of this section with only one sign permit required for all signs indicated in the approved master signage plan.

(Ord. No. 2016-19, § 24, 8-15-2016)

### Sec. 30-63. Wall signs.

(a) *Manner of measurement.*

- (1) *Size.* The size of a sign is determined by its effective area. For wall signs, the effective area includes the entire area enclosing the extreme limits of the sign display, excluding any adjacent parts of the sign structure (see Figure 30-63A).
- (2) *Height.* The height of a wall sign is measured between the lowest and highest vertical extremes of the sign display.
- (3) *Width.* The width of a wall sign is measured between the right-most and left-most horizontal extremes of the sign display.
- (4) *Illustration.*



**Figure 30-63A**

(b) *Sign requirements and regulations.*

- (1) *Size.* The following effective area and size regulations apply:
  - a. *Maximum effective area.*
    1. *Principal buildings.* The effective area of all wall signs located on a principal building devoted to a residential use may not exceed one percent of the area of the wall or façade upon which they are located. The effective area of all wall signs located on a principal building serving as a nonresidential use may not exceed 15 percent of the area of the wall or façade upon which they are located, or 300 square feet, whichever is less.
    2. *Accessory buildings and structures.* Wall signs are prohibited on accessory buildings serving a single-family or two-family residential use. The effective area of all wall signs located on an accessory building or structure serving a nonresidential use may not exceed five percent of the area of the wall or façade upon which they are located, or 100 square feet, whichever is less.
    3. *Measurements.* In measuring the area of the wall or façade of a principal building or an accessory building or structure in this section, the area of all doors and windows are included. In measuring the area of a wall or façade of an accessory structure that contains open space (i.e., not occupied by walls, glass, or other material used to permanently enclose the interior space) such as a canopy or porte cochere, the area of the open space is not included (see Figures 30-63B and 30-63C).

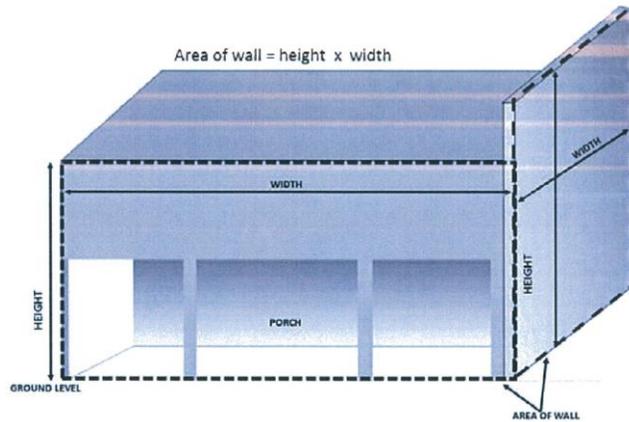


Figure 30-63B

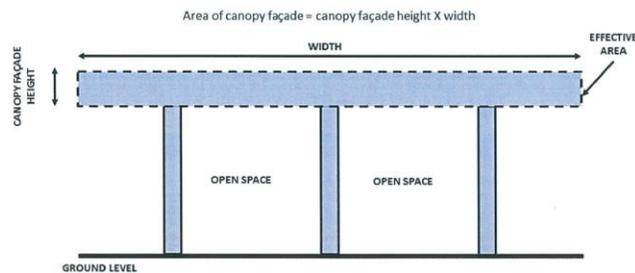


Figure 30-63C

- b. *Multi-tenant buildings.* For multi-tenant buildings, the effective area regulations apply to that portion of the building façade leased by each tenant.
- (2) *Height.*
    - a. For buildings containing 10,000 square feet or more of floor space, the maximum height of the wall sign is two inches in height for every one foot of height of the wall to which it is attached.
    - b. For buildings containing less than 10,000 square feet in floor area, the maximum height of the wall sign is 1½ inches for every one foot of height of the wall to which it is attached. Under this provision, the height of the wall is measured from the base of the wall vertically to the highest point of the wall to which the sign is affixed.
    - c. For wall signs on motor vehicle canopies, such as drive-thrus or gas sales, the maximum height of the sign shall be two inches in height for every one foot of height of the canopy. Under this provision, the height of the canopy is measured from ground level to the top of the vertical canopy façade. In no case shall the sign extend below or above the vertical façade of the canopy (see Figure 30-63D).

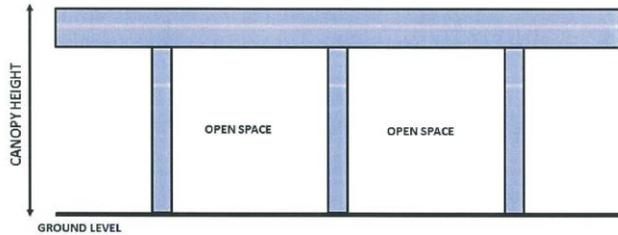


Figure 30-63D

(3) *Location.*

- a. A wall sign may not extend more than 12 inches beyond the perimeter of any part of the wall to which it is attached. A wall sign may be placed on a canopy or roof if there is a solid wall of the same building visible behind the entire sign.
- b. Wall signs may be illuminated; however, illuminated wall signs on rear building façades shall be prohibited if facing a residential zoning district or use.

(4) *Materials.*

- a. Wall signs should be constructed of durable, weather-resistant materials such as metal, plastic, or other durable materials approved by the building official or his assigns.
- b. Wall signs must be attached to the wall of a building in accordance with current building code.

(5) *Permit.*

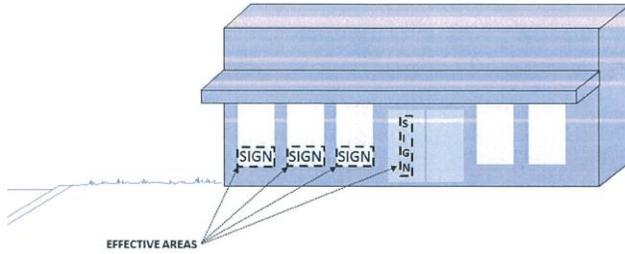
- a. It is unlawful for any person to place, locate, relocate, erect, construct, replace or alter the size or shape of any part of a wall sign, including the face or other integral part, or to thereafter make use of a sign without having first secured a sign permit from the city, except as otherwise provided in this article.
- b. Unless earlier revoked, a wall sign permit to construct, erect or place a wall sign is valid for 180 days from the date of issuance.

(Ord. No. 2016-19, § 25, 8-15-2016)

## Sec. 30-64. Window and door signs.

(a) *Manner of measurement.*

- (1) *Size.* The size of a sign is determined by its effective area. for window and door signs, the effective area includes the entire area enclosing the extreme limits of the sign display, excluding any adjacent parts of the sign structure (see Figure 30-64).
- (2) *Height.* The height of a window and door sign is measured between the lowest and highest vertical extremes of the sign display.
- (3) *Width.* The width of a window and door sign is measured between the right-most and left-most horizontal extremes of the sign display.
- (4) *Illustration.*



**Figure 30-64**

(b) *Sign requirements and regulations.*

- (1) *Size.* The total area of window and door signs shall not exceed 25 percent of the total window and door area of the building elevation identified for placement of the sign.
- (2) *Location.* window and door signs are limited to the ground floor of a building. Window and door signs must be affixed to the interior face of the window surface. signs affixed to the exterior face of a window or door are wall signs.
- (3) *Materials.* Window and door signs include any material painted, etched, or affixed to the interior side of a window or door. Window and door signs include electronic and illuminated signs hanging within the interior space and viewable from the public street through the window or door.
- (4) *Permits.* A sign permit is not required for the placement or use of window and door signs.

(Ord. No. 2016-19, § 26, 8-15-2016)

**Sec. 30-65. Stake signs.**

(a) *Manner of measurement.*

- (1) *Size.* The size of a sign is determined by its effective area. For stake signs, the effective area includes the entire structure on which signs are placed or mounted (see Figure 30-65).
- (2) *Setback.* The setback is measured perpendicularly from the curbline to the closest point of the sign.
- (3) *Height.* The height of a sign is measured from the natural ground level at the base of the sign to the highest point of the sign.
- (4) *Width.* The width of a sign is measured along a line drawn from the outermost edges of the sign, parallel to the ground.
- (5) *Illustrations.*

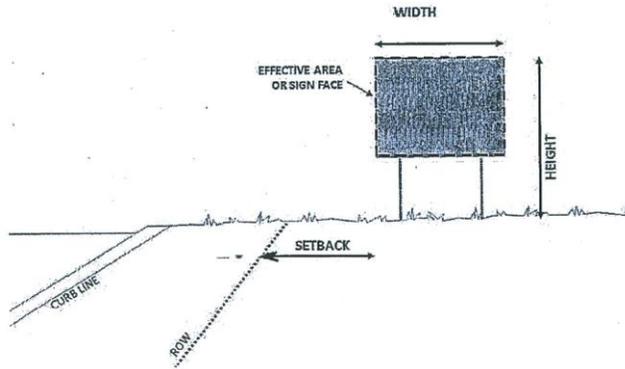


Figure 30-65

(b) *Sign requirements and regulations.*

- (1) *Size.* A stake sign may not have an effective area in excess of nine square feet or a height in excess of four feet.
- (2) *Location.* A stake sign may not be located within the right-of-way of a public street or within a railroad right-of-way and a minimum of 20 feet from the curbline. A stake sign may not be located on State Highway 288 frontage.
- (3) *Materials.* Stake signs may include materials such as wood or metal stakes with a wood, plastic or metal sign face.
- (4) *Number.* No more than two stake signs are allowed on a nonresidential property at any time. Stake signs may not be located within 25 feet of another sign on the same premises or on an adjacent premises. However, every property is allowed at least one stake sign.
- (5) *Permit.* A sign permit is not required for the placement or use of a stake sign. A stake sign that advertises a particular event or happening must be removed within three days after the conclusion of the event by the owner of the premises on which it is located.

(Ord. No. 2016-19, § 27, 8-15-2016)

**Sec. 30-66. Wind device signs.**(a) *Manner of measurement.*

- (1) *Size.* The size of a sign is determined by its effective area. For wind device signs, the effective area includes the entire sign display area or sign face, excluding the structure on which signs are placed (see Figure 30-66).
- (2) *Setback.* The setback is measured perpendicularly from the curbline to the closest point of the sign.
- (3) *Height.* The height of a wind device sign is measured from the natural ground level below the sign to the highest point of the sign.
- (4) *Width.* The width of a sign is measured along a line drawn from the outermost edges of the sign, parallel to the ground.
- (5) *Illustrations.*



**Figure 30-66**

- (b) *Banner signs.* Banner signs are a type of wind device sign and include pennant signs. The following regulations apply to banner signs:
- (1) *Size.* A banner sign may not project above the roofline or parapet walls of a building. Banner signs may not extend to a greater height than the maximum height of the building on the premises. Banner signs on vacant premises may not exceed ten feet in height.
  - (2) *Location.* Banner signs may not extend beyond the property lines of the premises where located or over any public highway, street or sidewalk.
  - (3) *Materials.* A banner sign must be constructed of weather-resistant materials, be unlighted, and may not be an illuminated sign or electronic sign.
  - (4) *Permit.*
    - a. It is unlawful for any person to place, erect or make use of a banner sign on a premises devoted to a nonresidential use without having first secured a sign permit from the city. For buildings leased to multiple tenants, the permit applies to each leased premises.
    - b. A permit to make use of one or more wind device signs on a premises devoted to a nonresidential use may not exceed a period of use of 28 consecutive days in one calendar year or two periods of use in 14 consecutive days in on calendar year.
- (c) *Balloon signs.* Balloon signs are a type of wind device sign and the following regulations apply:
- (1) *Size.* A balloon sign may not project above the roofline or parapet walls of a building. Balloon signs may not exceed or be a greater height than the maximum height of the building on the premises. Balloon signs on vacant properties may not exceed ten feet in height.
  - (2) *Location.* Balloon signs may not extend beyond the property lines of the premises where located, or over any public highway, street or sidewalk.
  - (3) *Permit.*
    - a. It is unlawful for any person to place, erect or make use of a balloon sign on a premises devoted to a nonresidential use without having first secured a sign permit from the city. For buildings leased to multiple tenants, the permit applies to each leased premises.
    - b. A permit to make use of one or more balloon signs on a premises devoted to a nonresidential use may not exceed a period of use of 28 consecutive days in one calendar year or two periods of use of 14 consecutive days in one calendar year.
    - c. A permit is not required for up to three balloon signs less than 24 inches in diameter displayed for less than three days.

(Ord. No. 2016-19, § 28, 8-15-2016)

## Sec. 30-67. Flags and flagpoles.

### (a) *Flags.*

- (1) *Location; applicability.* A flag sign may be located in any zoning district or use. Governmental flag signs only include: the flag of the United States of America, the flag of the state, any flag of a governmental entity, foreign or domestic, or an official or replica flag of any branch of the United States Armed Forces.
- (2) *Manner of measurement.*
  - a. *Size.*
    1. *In a nonresidential district or use.* A flag's effective area may not exceed 60 square feet. No portion of a flag shall encroach in a minimum seven-foot-high area above the ground when displayed at the half-mast location.
    2. *In a residential district or use.* A flag's effective area may not exceed 40 square feet. No portion of a flag shall encroach in a minimum seven-foot-high area above the ground when displayed at the half-mast location.
  - b. *Type in a nonresidential district or use.* Flag signs in nonresidential zoning districts or uses may only consist of governmental flag signs or flag signs containing commercial messages which may only consist of registered or unregistered logos, trademarks, or service marks and must be located on the premises of the businesses or commercial enterprises which the signs advertise.
  - c. *Display in a nonresidential district or use.* All flag signs located in nonresidential zoning districts or use shall be displayed in accordance with the rules of etiquette for the display of United States of America flags contained in the United States Flag Code (4 USC 1 et seq.), including specific rules for the flag of the United States to be displayed in accordance with 4 USC 5 through 10. The state flag shall be displayed in accordance with V.T.C.A., Government Code ch. 3100. Flag signs shall not be displayed on or from roofs.
  - d. *Number.*
    1. *In a nonresidential district or use.* No more than one flag sign per flagpole.
    2. *In a residential district or use.* No more than two flag signs per flagpole.

### (b) *Flagpoles.*

- (1) *Height.*
  - a. *In a nonresidential district or use.* Freestanding flagpoles shall be no more than 50 feet in height. The lowest component of a flag sign on a flagpole shall be a minimum of seven feet above the ground when measured at ground level at the half-mast location.
  - b. *In a residential district or use.* Freestanding flagpoles shall be no more than 25 feet in height. The lowest component of a flag sign on a flagpole shall be a minimum of seven feet above the ground when measured at ground level at the half-mast location.
- (2) *Location.*
  - a. A flagpole may be placed adjacent to the public right-of-way provided it does not encroach on the sight visibility triangle as identified in this Code and is set back a minimum of ten feet from the curb.
  - b. Flagpoles mounted on the walls of buildings shall not extend more than ten feet above the wall on which they are mounted and shall be no more than 35 feet in height.

- c. The display of a flag, or the location and construction of the supporting flagpole shall comply with all applicable zoning ordinances, easements, and setbacks of record. Flagpoles shall not be mounted on roofs.
- (3) *Construction.* Flagpoles shall be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the primary structure and permanently mounted.
- (4) *Number.*
- a. The maximum number of individual flag poles allowed within single-family residential zones or single-family residential use area is three per lot or contiguous tract of land.
- b. The maximum number of individual flag poles allowed within non-single-family residential zones or non-single-family residential use area is three per contiguous tract of land.
- (5) *Permits.* It is unlawful for any person to place, erect or make use of flagpoles on a premises located in a nonresidential zone or use without first securing a sign permit from the city. For buildings leased to multiple tenants, the permit applies to each leased premises. Flags mounted to a permitted flagpole do not require a permit. No permit is required for flagpoles located in a residential district or use.

(Ord. No. 2016-19, § 1, 8-15-2016)

### Sec. 30-68. Electronic signs.

- (a) *Permitted sign type; criteria.* Electronic signs, as defined herein, are only allowed as freestanding monument (on-premises use only) signs and do not qualify for any other sign type, using the following criteria:
- (1) *Size in a nonresidential district or nonresidential use (including vacant use).* The electronic portion of a freestanding monument sign may not exceed two-thirds of the total effective area and in no case may exceed the total effective area as allowed for monument signs.
- (2) *Location.* An electronic sign may be placed adjacent to the public right-of-way, but not within the public right-of-way, provided it does not encroach on the sight visibility triangle as identified in other ordinances and is setback a minimum of 20 feet from the curb.
- (3) *Maintenance.* Electronic sign lighting must be maintained. When more than one-fourth of the total electronic sign area is not properly functioning, the entire electronic sign must be turned off until the electronic sign can be repaired.
- (4) *Number in a nonresidential district or nonresidential use.* The total number of allowed monument signs with an electronic sign component is the same as the total number of monument signs allowed.
- (5) *Illumination level.* No automatic changeable copy sign shall exceed a brightness level of 0.3 footcandle above ambient light as measured using a footcandle (Lux) meter at a pre-set distance in accordance with the following procedure:
- a. At least 30 minutes past sunset, record the ambient light while the sign is off or displaying all black copy, or with the sign's illumination blocked.
- b. The light meter shall be held five feet above the finished grade in front of the sign.
- c. The meter shall be aimed toward the center of the automatic changeable copy sign.
- d. From the same location, a second reading shall be recorded while the sign is on and not blocked.

- (6) *Compliance.* If the difference between the measurements is 0.3 footcandle or less, the brightness is properly adjusted; otherwise, the brightness must be adjusted to comply with the brightness adjustment standard set forth above.
- (7) *Measuring.* The measurement distance shall be determined as shown in Table 30-68, which is derived and generalized from the formula shown for 180 square feet in the table; (the square root of) (the automatic changeable copy area times 100):

Table 30-68. Distances from Which to Measure the Brightness of On-Premises Automatic Changeable Copy Graphics

<i>Area of Automatic Changeable Copy in Square Feet</i>	<i>Measurement Distance in Linear Feet</i>
10	32
20	45
30	55
40	63
50	71
60	77
70	84
80	89
90	95
100	100
120	110
140	118
160	126
180*	134
200	141
220	148
240	155
260	161
280	167
300	173
350	187
400	200
450	212
500	224

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550	234
600	245
650 and greater	254

\*180 x 100 = 18,000; √18,000 = 134

- (8) *Image timing.* The electronic image on an electronic sign must remain constant for a minimum time period of 15 seconds at those locations that do not have frontage on State Highway 288 or State Highway 6 and a minimum time period of seven seconds for those locations that have frontage on State Highway 288 or State Highway 6.
- (b) *Permit.* It is unlawful for any person to place, erect or make use of an electronic sign on a premises devoted to a nonresidential use without having first secured a sign permit from the city. For locations leased to multiple tenants, the permit applies to each leased premises. Electronic signs are not allowed in residential districts and are not allowed on a premises either vacant or containing a residential use.

(Ord. No. 2016-19, § 30, 8-15-2016)

### **Sec. 30-69. Abandoned on-premises signs.**

- (a) Except as otherwise provided in this article, an on-premises sign must be removed on the first anniversary of the date the business, person, entity, organization, or other matter advertised or identified in the sign ceases to operate or be located on the premises where the sign is located.
- (b) Except as otherwise provided in this article, if the premises containing an on-premises sign are leased, then the sign must be removed on the second anniversary after the date the most recent tenant ceases to operate on the premises.
- (c) This section also applies to nonconforming signs. A nonconforming sign that is required to be removed under this section loses its nonconforming status.

(Ord. No. 2016-19, § 31, 8-15-2016)

### **Sec. 30-70. All signs; building codes and other laws.**

Except as otherwise provided herein for nonconforming signs, each sign of any type shall comply with all applicable building codes and other applicable ordinances and laws of any nature. The building official or his assigns shall be designated as the person responsible for interpretation and execution of all regulations contained in this article.

(Ord. No. 2016-19, § 32, 8-15-2016)

### **Secs. 30-71—30-98. Reserved.**

## ARTICLE III. REGULATIONS

### Sec. 30-61. Classification of signs.

For purposes of applying these regulations, all signs are defined and classified as follows:

- (1) Freestanding signs. This article allows only the following three types of freestanding signs and, regardless of any other provision, all other freestanding signs are hereby prohibited:
  - a. Monument signs;
  - b. Temporary freestanding signs (not including temporary freestanding special activity signs); and
  - c. Temporary freestanding special activity signs.
- (2) Wall signs.
- (3) Window and door signs.
- (4) Stake signs.
- (5) Wind device signs.
  - a. Banner signs; and
  - b. Balloon signs.
- (6) Flags and flagpoles.

(Ord. No. 2017-11-1, § 4, 5-30-2017)

### Sec. 30-62. Freestanding signs.

(a) *Manner of measurement.*

- (1) *Size.* The size of a sign is determined by its effective area.
  - a. For monument signs, the effective area includes the entire structure on which the sign is placed or mounted, but not including the portion of the sign base that extends directly below the sign face (see Figure 30-62A).

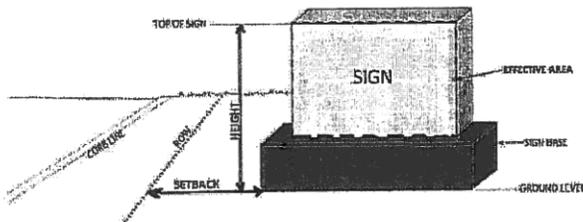


Figure 30-62A

- b. Temporary freestanding signs, temporary freestanding special activity signs and subdivision entrance signs are measured by the length and height of the sign face or display area only, not including the measurements of the support structure (see Figures 30-62B and 30-62C).

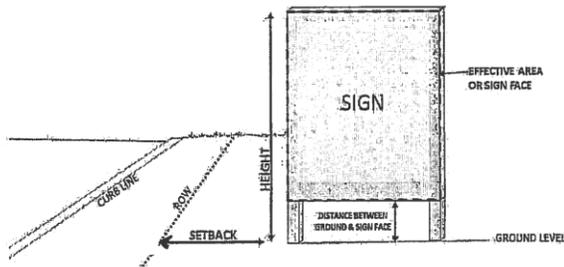


Figure 30-62B

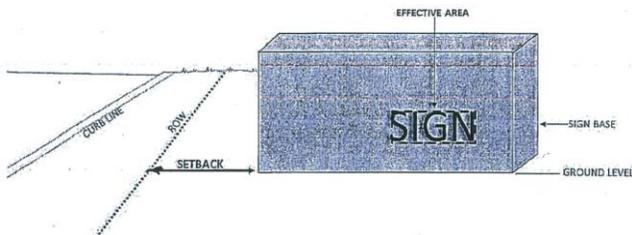


Figure 30-62C

- (2) *Setback*. The setback is measured perpendicularly from the property line to the closest point of the sign.
  - (3) *Height*. The height of a freestanding sign is measured from the natural ground level at the base of the sign to the highest point of the sign.
  - (4) *Width*. The width of a freestanding sign is measured along a line drawn from the outermost edges of the sign, parallel to the ground.
- (b) *Monument signs*. Except as otherwise provided in this section, monument signs must comply with the following requirements:
- (1) *Size*. The following table details size requirements for monument signs:

Table 30-62. Requirements for Monument Signs

## Nonresidential Zoning District Monuments Regulations:

Requirements		<i>Nonresidential Zoning District or Nonresidential Use Not Having Frontage on State Highway 288 or Having Frontage on State Highway 6</i>	Nonresidential Zoning District or Nonresidential Use with Frontage on State Highway 288
Maximum effective area (sq. ft.)		60	96
Maximum height (ft.)		6	8
Minimum setback (ft.)		0	0
Number per feet of frontage		1 for the first 250, 1 for each additional 250, maximum 2 per tract	1 for the first 250, 1 for each additional 500

## Residential Zoning District Monuments Regulations:

Requirements	<i>Residential Zoning District or Residential Use with Frontage on SH 288</i>	<i>Residential Zoning District or Residential Use with Frontage on SH 6, Major Thoroughfare or Major Collector</i>	<i>Residential Zoning District or Residential Use (all others roadways)</i>
Maximum effective area (sq. ft.)	150	100	36
Maximum height (ft.)	16	10	4
Minimum setback (ft.)	3	3	3
Number per feet of frontage	1/500	1/500	1/500

(2) *Location; additional spacing requirements.*

- a. A monument sign may not be located within 50 feet of another freestanding sign on another premises.
- b. A monument sign may not be located within 125 feet of another freestanding sign on the same premises.
- c. A monument sign may not be placed or located within the public right-of-way unless the city gives its written consent to the encroachment.

(3) *Materials.* All monument signs must be designed and constructed to substantially appear as a solid mass, such as a cinderblock, rectangle, or square, from ground level to the highest portion of the sign. All monument signs must be made of masonry, metal, routed wood planks or beams, or durable plastic, with durable surface ornamentation such as ceramic tile or such.

- (4) *Number.* All signs with one common supporting structure are counted together as one sign for purposes of applying the regulations on the number of monument signs allowed on any one premises.
- (5) *Permit.*
- a. It is unlawful for any person to place, locate, relocate, erect, construct, replace or alter the size or shape of any part of a monument sign, including the face or other integral part, or to thereafter make use of a sign without having first secured a sign permit from the city as required, except as otherwise provided in this article.
  - b. A sign permit is not required to repaint a sign or to restore a conforming sign to its original condition if the sign otherwise complies with this article, or to periodically change only the letters, numbers or message portion of a conforming sign.
  - c. Unless earlier revoked, a sign permit to construct, erect or place a monument sign is valid for 180 days from the date of issuance.
- (6) *Additional regulations.*
- a. Size exception for monument signs in nonresidential districts or nonresidential uses with State Highway 288 frontage. Any real property located in a nonresidential district or nonresidential use with State Highway 288 frontage that would be allowed to have three or more monument signs under Table 30-62 may choose to have one monument sign with a maximum effective area of 120 square feet and a maximum height of ten feet and another monument sign with a maximum effective area of 96 square feet and a maximum height of eight feet, in lieu of all other monument signs allowed under Table 30-62.
  - b. Off-premises signs and on-premises signs in the ETJ. The regulations of Table 30-62 applicable to nonresidential zoning districts apply to all off-premises and on-premises monument signs located in the city's extraterritorial jurisdiction based on land use.
  - c. Subdivision entrance signs must meet the requirements for monument signs in this article but have a different method of calculating the maximum effective area, see subsection (a) of this section.
  - d. A monument sign shall not contain off-premises advertising.
- (c) *Temporary freestanding sign.*
- (1) *Size.* A temporary freestanding sign must have a maximum effective area of 32 square feet and a maximum height of eight feet.
  - (2) *Location.* A temporary freestanding sign must comply with the following spacing requirements:
    - a. For properties in residential zoning districts or residential uses, spacing requirements are one per 500 feet.
    - b. For properties in nonresidential zoning districts or nonresidential uses, spacing requirements are one per the first 125 feet and one per each additional 250 feet.
    - c. A temporary freestanding sign may not be located within 50 feet of any freestanding sign on other premises.
    - d. A temporary freestanding sign may not be located within 125 feet of any freestanding sign on the same premises.
    - e. A temporary freestanding sign may not be placed or located within the public right-of-way unless the city gives its written consent to the encroachment.

- (3) *Materials.* A temporary freestanding sign must be made of plywood, fiber cement board, or durable plastic. Temporary freestanding signs may not be lighted or illuminated and may not be an electronic sign.
- (4) *Permit.*
- a. It is unlawful for any person to place, locate, relocate, erect, construct, or alter the size or shape of any part of a temporary freestanding sign, including the face or other integral part, or to thereafter make use of a sign without having first secured a sign permit from the city as required, except as otherwise provided in this article.
  - b. A new sign permit is not required to repaint or maintain a temporary freestanding sign or to restore a conforming and permitted temporary freestanding sign to its original condition if the sign otherwise complies with this article, or to periodically change only the letters, numbers or message portion of a conforming temporary freestanding sign.
  - c. A temporary freestanding sign permit is valid on any one temporary freestanding sign on one premises for a maximum of 75 days in any one calendar year. If locating a temporary freestanding sign for more than 75 days, the temporary freestanding sign permit must be renewed prior to the expiration of the then valid sign permit.
- (5) *Additional regulations.* A temporary freestanding sign shall not contain off-premises advertising.
- (d) *Temporary freestanding special activity signs.*
- (1) *Types of temporary freestanding special activity signs.*
    - a. *Temporary special events signs.* Signs announcing special events, including, but not limited to, auction, grand opening, new management, going out of business, and events sponsored by religious, charitable, or public service groups and organizations. Businesses, individuals, or organizations may display up to six times in a 12-month period, a maximum of two signs for up to seven continuous days prior to a special event. Such signs shall not exceed 16 square feet in area, and shall be removed immediately following the end of the event.
    - b. *Temporary farm products signs.* Temporary on-premises signs announcing the availability of seasonal farm products for 60 days which may be renewed on a case-by-case basis. The number of signs shall not exceed two and the total area of all such signs shall not exceed 20 square feet, nor shall any sign exceed six feet in height.
    - c. *Temporary business occupation signs.* Temporary on-premises signs identifying a business in shopping centers, multiple establishment on the same lot, or office and/or industrial centers until the completion of the signs of the shopping center, office and/or industrial center. The length of time for displaying a temporary business occupation sign shall not exceed 90 days.
    - d. *Temporary construction signs.* Temporary construction signs announcing new buildings or projects, temporary geographical directional signs, erected after the commencement of building construction or site development shall be limited to two construction signs per construction site, each sign not to exceed 24 square feet in area and eight feet in height. The temporary sign shall be removed by the time a permanent sign is erected or a certificate of occupancy for the building is issued, whichever occurs first. Temporary geographical directional signs shall be removed when the initial development of the subdivision is complete.
  - (2) *Size.* If not indicated otherwise in this section, a temporary freestanding special activity sign must have dimensions of four feet in width and eight feet six inches in height. The plywood face of the sign must be four feet by eight feet where no part of the frame or posts extend beyond the sign faces at the sides or top of the sign. The face of the sign must extend down to within six inches of the ground.

- (3) *Location.* If not indicated otherwise in this section, a temporary freestanding special activity sign shall comply with the following setback and spacing requirements:
- a. For properties in residential zoning districts or residential use, spacing requirements are one sign per 500 feet of frontage.
  - b. For properties in nonresidential zoning districts or nonresidential use, spacing requirements are one sign for the first 125 feet of frontage and one sign for each additional 125 feet of frontage.
  - c. A temporary freestanding special activity sign may not be located within 50 feet of any freestanding sign on another premises.
  - d. A temporary freestanding special activity sign may not be located within 125 feet of any temporary freestanding special activity sign on the same premises.
  - e. An off-premises temporary freestanding special activity sign may not be located within 2,000 feet of another off-premises temporary freestanding activity sign.
  - f. A temporary freestanding special activity sign may not be placed or located within the public right-of-way unless the city gives its written consent to the encroachment.
  - g. Temporary freestanding special activity signs located on sites with State Highway 288 frontage shall be allowed a maximum area and height of two times the standard required herein, but spaced twice the minimum distance indicated.
- (4) *Materials.* If not indicated otherwise in this section, a temporary freestanding special activity sign shall be constructed as follows:
- a. The sign face must be fabricated of one-half inch thick medium density overlay plywood or treated wood or fiber cement board mounted on both sides of a frame if the sign is placed perpendicular to the property line;
  - b. A temporary freestanding special activity sign may not be electronic, lighted or illuminated;
  - c. A temporary freestanding special activity sign must be anchored by two- to four-inch by four-inch treated wood posts or steel posts anchored in sand or concrete filled holes extending down at least two feet in the ground; and
  - d. The plywood face must be securely held to the frame by galvanized nails or screws installed with the heads flush to the surface, all seams are tight, all holes are filled and sanded smooth, and all surfaces are coated with primer and painted with good quality exterior-grade paint.
- (5) *Permit.* Unless indicated otherwise in this section:
- a. It is unlawful for any person to place, locate, relocate, erect, construct, replace or alter the size or shape of any part of a temporary freestanding special activity sign including the face or other integral part, or to thereafter make use of a temporary freestanding special activity sign without having first secured a sign permit from the city as required, except as otherwise provided in this article.
  - b. A sign permit, valid for one year and renewable for one additional year, may be issued for one temporary freestanding special activity sign on any one premises.
  - c. Unless earlier revoked, a sign permit to construct, erect or place a temporary freestanding special activity sign is valid for 180 days from the date of issuance.
- (6) *Master signage plan.* An overall master plan signage plan if submitted for recommendation by the planning commission will substitute for the requirements of this section with only one sign permit required for all signs indicated in the approved master signage plan.

(Ord. No. 2016-19, § 24, 8-15-2016)

## Sec. 30-63. Wall signs.

### (a) Manner of measurement.

- (1) *Size.* The size of a sign is determined by its effective area. For wall signs, the effective area includes the entire area enclosing the extreme limits of the sign display, excluding any adjacent parts of the sign structure (see Figure 30-63A).
- (2) *Height.* The height of a wall sign is measured between the lowest and highest vertical extremes of the sign display.
- (3) *Width.* The width of a wall sign is measured between the right-most and left-most horizontal extremes of the sign display.
- (4) *Illustration.*

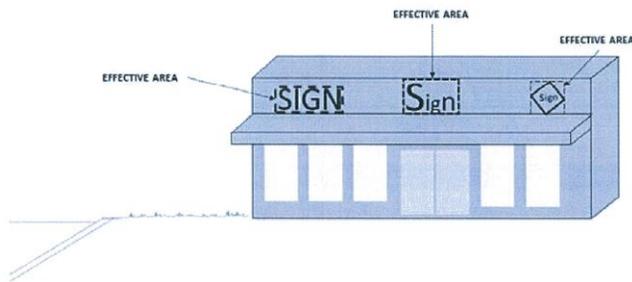


Figure 30-63A

### (b) Sign requirements and regulations.

- (1) *Size.* The following effective area and size regulations apply:
  - a. *Maximum effective area.*
    1. *Principal buildings.* The effective area of all wall signs located on a principal building devoted to a residential use may not exceed one percent of the area of the wall or façade upon which they are located. The effective area of all wall signs located on a principal building serving as a nonresidential use may not exceed 15 percent of the area of the wall or façade upon which they are located, or 300 square feet, whichever is less.
    2. *Accessory buildings and structures.* Wall signs are prohibited on accessory buildings serving a single-family or two-family residential use. The effective area of all wall signs located on an accessory building or structure serving a nonresidential use may not exceed five percent of the area of the wall or façade upon which they are located, or 100 square feet, whichever is less.
    3. *Measurements.* In measuring the area of the wall or façade of a principal building or an accessory building or structure in this section, the area of all doors and windows are included. In measuring the area of a wall or façade of an accessory structure that contains open space (i.e., not occupied by walls, glass, or other material used to permanently enclose the interior space) such as a canopy or porte cochere, the area of the open space is not included (see Figures 30-63B and 30-63C).

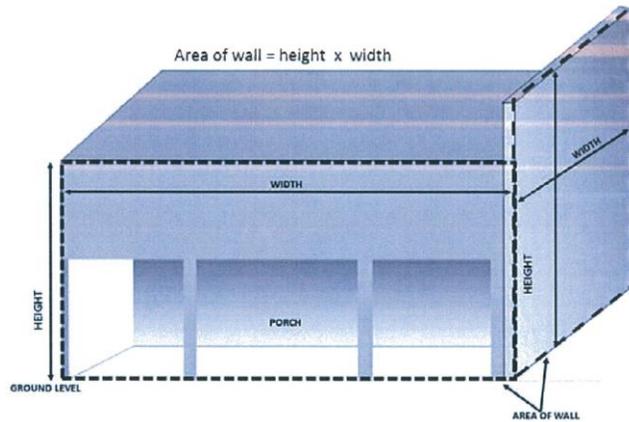


Figure 30-63B

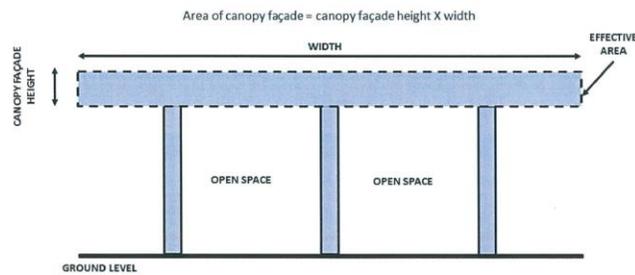


Figure 30-63C

- b. *Multi-tenant buildings.* For multi-tenant buildings, the effective area regulations apply to that portion of the building façade leased by each tenant.
- (2) *Height.*
    - a. For buildings containing 10,000 square feet or more of floor space, the maximum height of the wall sign is two inches in height for every one foot of height of the wall to which it is attached.
    - b. For buildings containing less than 10,000 square feet in floor area, the maximum height of the wall sign is 1½ inches for every one foot of height of the wall to which it is attached. Under this provision, the height of the wall is measured from the base of the wall vertically to the highest point of the wall to which the sign is affixed.
    - c. For wall signs on motor vehicle canopies, such as drive-thrus or gas sales, the maximum height of the sign shall be two inches in height for every one foot of height of the canopy. Under this provision, the height of the canopy is measured from ground level to the top of the vertical canopy façade. In no case shall the sign extend below or above the vertical façade of the canopy (see Figure 30-63D).

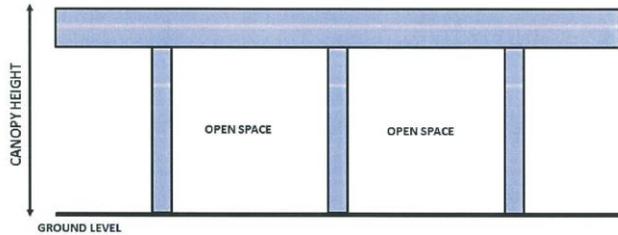


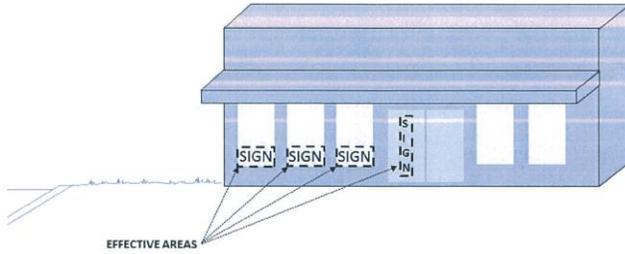
Figure 30-63D

- (3) *Location.*
- a. A wall sign may not extend more than 12 inches beyond the perimeter of any part of the wall to which it is attached. A wall sign may be placed on a canopy or roof if there is a solid wall of the same building visible behind the entire sign.
  - b. Wall signs may be illuminated; however, illuminated wall signs on rear building façades shall be prohibited if facing a residential zoning district or use.
- (4) *Materials.*
- a. Wall signs should be constructed of durable, weather-resistant materials such as metal, plastic, or other durable materials approved by the building official or his assigns.
  - b. Wall signs must be attached to the wall of a building in accordance with current building code.
- (5) *Permit.*
- a. It is unlawful for any person to place, locate, relocate, erect, construct, replace or alter the size or shape of any part of a wall sign, including the face or other integral part, or to thereafter make use of a sign without having first secured a sign permit from the city, except as otherwise provided in this article.
  - b. Unless earlier revoked, a wall sign permit to construct, erect or place a wall sign is valid for 180 days from the date of issuance.

(Ord. No. 2016-19, § 25, 8-15-2016)

## Sec. 30-64. Window and door signs.

- (a) *Manner of measurement.*
- (1) *Size.* The size of a sign is determined by its effective area. for window and door signs, the effective area includes the entire area enclosing the extreme limits of the sign display, excluding any adjacent parts of the sign structure (see Figure 30-64).
  - (2) *Height.* The height of a window and door sign is measured between the lowest and highest vertical extremes of the sign display.
  - (3) *Width.* The width of a window and door sign is measured between the right-most and left-most horizontal extremes of the sign display.
  - (4) *Illustration.*



**Figure 30-64**

(b) *Sign requirements and regulations.*

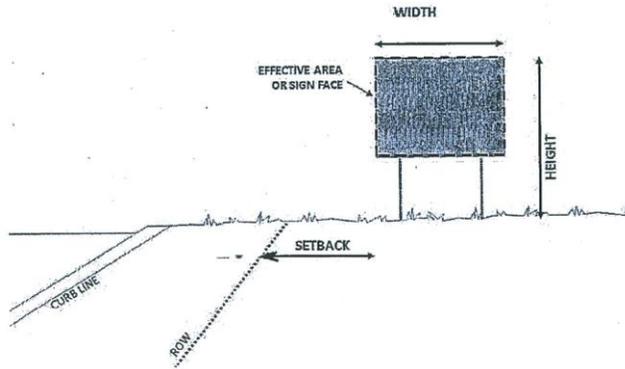
- (1) *Size.* The total area of window and door signs shall not exceed 25 percent of the total window and door area of the building elevation identified for placement of the sign.
- (2) *Location.* window and door signs are limited to the ground floor of a building. Window and door signs must be affixed to the interior face of the window surface. signs affixed to the exterior face of a window or door are wall signs.
- (3) *Materials.* Window and door signs include any material painted, etched, or affixed to the interior side of a window or door. Window and door signs include electronic and illuminated signs hanging within the interior space and viewable from the public street through the window or door.
- (4) *Permits.* A sign permit is not required for the placement or use of window and door signs.

(Ord. No. 2016-19, § 26, 8-15-2016)

**Sec. 30-65. Stake signs.**

(a) *Manner of measurement.*

- (1) *Size.* The size of a sign is determined by its effective area. For stake signs, the effective area includes the entire structure on which signs are placed or mounted (see Figure 30-65).
- (2) *Setback.* The setback is measured perpendicularly from the curbline to the closest point of the sign.
- (3) *Height.* The height of a sign is measured from the natural ground level at the base of the sign to the highest point of the sign.
- (4) *Width.* The width of a sign is measured along a line drawn from the outermost edges of the sign, parallel to the ground.
- (5) *Illustrations.*



**Figure 30-65**

(b) *Sign requirements and regulations.*

- (1) *Size.* A stake sign may not have an effective area in excess of nine square feet or a height in excess of four feet.
- (2) *Location.* A stake sign may not be located within the right-of-way of a public street or within a railroad right-of-way and a minimum of 20 feet from the curblines. A stake sign may not be located on State Highway 288 frontage.
- (3) *Materials.* Stake signs may include materials such as wood or metal stakes with a wood, plastic or metal sign face.
- (4) *Number.* No more than two stake signs are allowed on a nonresidential property at any time. Stake signs may not be located within 25 feet of another sign on the same premises or on an adjacent premises. However, every property is allowed at least one stake sign.
- (5) *Permit.* A sign permit is not required for the placement or use of a stake sign. A stake sign that advertises a particular event or happening must be removed within three days after the conclusion of the event by the owner of the premises on which it is located.

(Ord. No. 2016-19, § 27, 8-15-2016)

**Sec. 30-66. Wind device signs.**

(a) *Manner of measurement.*

- (1) *Size.* The size of a sign is determined by its effective area. For wind device signs, the effective area includes the entire sign display area or sign face, excluding the structure on which signs are placed (see Figure 30-66).
- (2) *Setback.* The setback is measured perpendicularly from the curblines to the closest point of the sign.
- (3) *Height.* The height of a wind device sign is measured from the natural ground level below the sign to the highest point of the sign.
- (4) *Width.* The width of a sign is measured along a line drawn from the outermost edges of the sign, parallel to the ground.
- (5) *Illustrations.*



**Figure 30-66**

- (b) *Banner signs.* Banner signs are a type of wind device sign and include pennant signs. The following regulations apply to banner signs:
- (1) *Size.* A banner sign may not project above the roofline or parapet walls of a building. Banner signs may not extend to a greater height than the maximum height of the building on the premises. Banner signs on vacant premises may not exceed ten feet in height.
  - (2) *Location.* Banner signs may not extend beyond the property lines of the premises where located or over any public highway, street or sidewalk.
  - (3) *Materials.* A banner sign must be constructed of weather-resistant materials, be unlighted, and may not be an illuminated sign or electronic sign.
  - (4) *Permit.*
    - a. It is unlawful for any person to place, erect or make use of a banner sign on a premises devoted to a nonresidential use without having first secured a sign permit from the city. For buildings leased to multiple tenants, the permit applies to each leased premises.
    - b. A permit to make use of one or more wind device signs on a premises devoted to a nonresidential use may not exceed a period of use of 28 consecutive days in one calendar year or two periods of use in 14 consecutive days in on calendar year.
- (c) *Balloon signs.* Balloon signs are a type of wind device sign and the following regulations apply:
- (1) *Size.* A balloon sign may not project above the roofline or parapet walls of a building. Balloon signs may not exceed or be a greater height than the maximum height of the building on the premises. Balloon signs on vacant properties may not exceed ten feet in height.
  - (2) *Location.* Balloon signs may not extend beyond the property lines of the premises where located, or over any public highway, street or sidewalk.
  - (3) *Permit.*
    - a. It is unlawful for any person to place, erect or make use of a balloon sign on a premises devoted to a nonresidential use without having first secured a sign permit from the city. For buildings leased to multiple tenants, the permit applies to each leased premises.
    - b. A permit to make use of one or more balloon signs on a premises devoted to a nonresidential use may not exceed a period of use of 28 consecutive days in one calendar year or two periods of use of 14 consecutive days in one calendar year.
    - c. A permit is not required for up to three balloon signs less than 24 inches in diameter displayed for less than three days.

(Ord. No. 2016-19, § 28, 8-15-2016)

## Sec. 30-67. Flags and flagpoles.

### (a) *Flags.*

- (1) *Location; applicability.* A flag sign may be located in any zoning district or use. Governmental flag signs only include: the flag of the United States of America, the flag of the state, any flag of a governmental entity, foreign or domestic, or an official or replica flag of any branch of the United States Armed Forces.
- (2) *Manner of measurement.*
  - a. *Size.*
    1. *In a nonresidential district or use.* A flag's effective area may not exceed 60 square feet. No portion of a flag shall encroach in a minimum seven-foot-high area above the ground when displayed at the half-mast location.
    2. *In a residential district or use.* A flag's effective area may not exceed 40 square feet. No portion of a flag shall encroach in a minimum seven-foot-high area above the ground when displayed at the half-mast location.
  - b. *Type in a nonresidential district or use.* Flag signs in nonresidential zoning districts or uses may only consist of governmental flag signs or flag signs containing commercial messages which may only consist of registered or unregistered logos, trademarks, or service marks and must be located on the premises of the businesses or commercial enterprises which the signs advertise.
  - c. *Display in a nonresidential district or use.* All flag signs located in nonresidential zoning districts or use shall be displayed in accordance with the rules of etiquette for the display of United States of America flags contained in the United States Flag Code (4 USC 1 et seq.), including specific rules for the flag of the United States to be displayed in accordance with 4 USC 5 through 10. The state flag shall be displayed in accordance with V.T.C.A., Government Code ch. 3100. Flag signs shall not be displayed on or from roofs.
  - d. *Number.*
    1. *In a nonresidential district or use.* No more than one flag sign per flagpole.
    2. *In a residential district or use.* No more than two flag signs per flagpole.

### (b) *Flagpoles.*

- (1) *Height.*
  - a. *In a nonresidential district or use.* Freestanding flagpoles shall be no more than 50 feet in height. The lowest component of a flag sign on a flagpole shall be a minimum of seven feet above the ground when measured at ground level at the half-mast location.
  - b. *In a residential district or use.* Freestanding flagpoles shall be no more than 25 feet in height. The lowest component of a flag sign on a flagpole shall be a minimum of seven feet above the ground when measured at ground level at the half-mast location.
- (2) *Location.*
  - a. A flagpole may be placed adjacent to the public right-of-way provided it does not encroach on the sight visibility triangle as identified in this Code and is set back a minimum of ten feet from the curb.
  - b. Flagpoles mounted on the walls of buildings shall not extend more than ten feet above the wall on which they are mounted and shall be no more than 35 feet in height.

- c. The display of a flag, or the location and construction of the supporting flagpole shall comply with all applicable zoning ordinances, easements, and setbacks of record. Flagpoles shall not be mounted on roofs.
- (3) *Construction.* Flagpoles shall be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the primary structure and permanently mounted.
- (4) *Number.*
  - a. The maximum number of individual flag poles allowed within single-family residential zones or single-family residential use area is three per lot or contiguous tract of land.
  - b. The maximum number of individual flag poles allowed within non-single-family residential zones or non-single-family residential use area is three per contiguous tract of land.
- (5) *Permits.* It is unlawful for any person to place, erect or make use of flagpoles on a premises located in a nonresidential zone or use without first securing a sign permit from the city. For buildings leased to multiple tenants, the permit applies to each leased premises. Flags mounted to a permitted flagpole do not require a permit. No permit is required for flagpoles located in a residential district or use.

(Ord. No. 2016-19, § 1, 8-15-2016)

### **Sec. 30-68. Electronic signs.**

- (a) *Permitted sign type; criteria.* Electronic signs, as defined herein, are only allowed as freestanding monument (on-premises use only) signs and do not qualify for any other sign type, using the following criteria:
  - (1) *Size in a nonresidential district or nonresidential use (including vacant use).* The electronic portion of a freestanding monument sign may not exceed two-thirds of the total effective area and in no case may exceed the total effective area as allowed for monument signs.
  - (2) *Location.* An electronic sign may be placed adjacent to the public right-of-way, but not within the public right-of-way, provided it does not encroach on the sight visibility triangle as identified in other ordinances and is setback a minimum of 20 feet from the curb.
  - (3) *Maintenance.* Electronic sign lighting must be maintained. When more than one-fourth of the total electronic sign area is not properly functioning, the entire electronic sign must be turned off until the electronic sign can be repaired.
  - (4) *Number in a nonresidential district or nonresidential use.* The total number of allowed monument signs with an electronic sign component is the same as the total number of monument signs allowed.
  - (5) *Illumination level.* No automatic changeable copy sign shall exceed a brightness level of 0.3 footcandle above ambient light as measured using a footcandle (Lux) meter at a pre-set distance in accordance with the following procedure:
    - a. At least 30 minutes past sunset, record the ambient light while the sign is off or displaying all black copy, or with the sign's illumination blocked.
    - b. The light meter shall be held five feet above the finished grade in front of the sign.
    - c. The meter shall be aimed toward the center of the automatic changeable copy sign.
    - d. From the same location, a second reading shall be recorded while the sign is on and not blocked.

- (6) *Compliance.* If the difference between the measurements is 0.3 footcandle or less, the brightness is properly adjusted; otherwise, the brightness must be adjusted to comply with the brightness adjustment standard set forth above.
- (7) *Measuring.* The measurement distance shall be determined as shown in Table 30-68, which is derived and generalized from the formula shown for 180 square feet in the table; (the square root of) (the automatic changeable copy area times 100):

Table 30-68. Distances from Which to Measure the Brightness of On-Premises Automatic Changeable Copy Graphics

<i>Area of Automatic Changeable Copy in Square Feet</i>	<i>Measurement Distance in Linear Feet</i>
10	32
20	45
30	55
40	63
50	71
60	77
70	84
80	89
90	95
100	100
120	110
140	118
160	126
180*	134
200	141
220	148
240	155
260	161
280	167
300	173
350	187
400	200
450	212
500	224

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(Supp. No. 1)

550	234
600	245
650 and greater	254

\*180 x 100 = 18,000; √18,000 = 134

- (8) *Image timing.* The electronic image on an electronic sign must remain constant for a minimum time period of 15 seconds at those locations that do not have frontage on State Highway 288 or State Highway 6 and a minimum time period of seven seconds for those locations that have frontage on State Highway 288 or State Highway 6.
- (b) *Permit.* It is unlawful for any person to place, erect or make use of an electronic sign on a premises devoted to a nonresidential use without having first secured a sign permit from the city. For locations leased to multiple tenants, the permit applies to each leased premises. Electronic signs are not allowed in residential districts and are not allowed on a premises either vacant or containing a residential use.

(Ord. No. 2016-19, § 30, 8-15-2016)

### **Sec. 30-69. Abandoned on-premises signs.**

- (a) Except as otherwise provided in this article, an on-premises sign must be removed on the first anniversary of the date the business, person, entity, organization, or other matter advertised or identified in the sign ceases to operate or be located on the premises where the sign is located.
- (b) Except as otherwise provided in this article, if the premises containing an on-premises sign are leased, then the sign must be removed on the second anniversary after the date the most recent tenant ceases to operate on the premises.
- (c) This section also applies to nonconforming signs. A nonconforming sign that is required to be removed under this section loses its nonconforming status.

(Ord. No. 2016-19, § 31, 8-15-2016)

### **Sec. 30-70. All signs; building codes and other laws.**

Except as otherwise provided herein for nonconforming signs, each sign of any type shall comply with all applicable building codes and other applicable ordinances and laws of any nature. The building official or his assigns shall be designated as the person responsible for interpretation and execution of all regulations contained in this article.

(Ord. No. 2016-19, § 32, 8-15-2016)

### **Secs. 30-71—30-98. Reserved.**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, AMENDING CHAPTER 30 “SIGNS” OF THE IOWA COLONY CITY CODE TO EXPAND THE REQUIREMENTS FOR SUBDIVISION MONUMENT SIGNAGE; PROVIDING FOR AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT**

**WHEREAS**, this ordinance promotes the public health, safety, welfare, and enjoyment of the general public and to protect the public from injury that may be caused by the unregulated construction of signs.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:**

**SECTION 1.** That the Iowa Colony City Code “Chapter 30 “Signs”, Article III. “Regulations” is hereby amended as follows:

**Sec. 30-62. - Freestanding signs.**

(b) Monument signs. Except as otherwise provided in this section, monument signs must comply with the following requirements:

(6) *Additional regulations.*

b. Off-premises signs and on-premises signs in the ETJ. The regulations of Table 30-62 applicable to nonresidential zoning districts apply to all off-premises and on-premises monument signs located in the city's extraterritorial jurisdiction based on land use.

1. (1) *Size.* The following table details size requirements for monument signs:

Table 30-62. Requirements for Monument Signs

**AMENDING TABLE AS FOLLOWS:**

**Nonresidential Zoning District Monuments Regulations:**

Requirements	<del>Residential Zoning District or Residential Use</del>	Nonresidential Zoning District or Nonresidential Use Not Having Frontage on State Highway 288 or Having Frontage on State Highway 6	Nonresidential Zoning District or Nonresidential Use with Frontage on State Highway 288
Maximum effective area (sq. ft.)	<del>36</del>	60	96
Maximum height (ft.)	<del>4</del>	6	8
Minimum setback (ft.)	<del>3</del>	0	0
Number per feet of frontage	<del>1/500</del>	1 for the first 250, 1 for each additional 250, maximum 2 per tract	1 for the first 250, 1 for each additional 500

**ADDING TABLE AS FOLLOWS:**

**Residential Zoning District Monuments Regulations:**

<b>Requirements</b>	<i>Residential Zoning District or Residential Use with Frontage on SH 288</i>	<i>Residential Zoning District or Residential Use with Frontage on SH 6, Major Thoroughfare or Major Collector</i>	<i>Residential Zoning District or Residential Use (all others roadways)</i>
Maximum effective area (sq. ft.)	150	100	36
Maximum height (ft.)	16	10	4
Minimum setback (ft.)	3	3	3
Number per feet of frontage	1/500	1/500	1/500

**SECTION 2.** If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

**SECTION 3.** This ordinance shall be effective immediately upon its passage and approval.

**SECTION 4.** That it is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING ON THE 26<sup>TH</sup> DAY OF JANUARY 2026.

PASSED AND APPROVED ON THE SECOND READING ON THE \_\_\_\_\_ DAY OF FEBRUARY 2026.

**CITY OF IOWA COLONY, TEXAS**

**By:** \_\_\_\_\_  
**Wil Kennedy, Mayor**

**ATTEST:**

\_\_\_\_\_  
**KAYLEEN ROSSER, CITY SECRETARY**



# City Council Agenda Item Request Form

Item 19.

This form is required to be completed by the applicable deadline for placement of an item on the City Council Agenda.

Date: 1/16/2026

Department Making Request: 35 - Community Development

Person Making Request: Dinh Ho

Item Type: Ordinance

Budgeted? N/A (no cost) Cost: 0

If budgeted, identify account: [ ] [ ] [ ]

Short Description:

Consideration and Possible Action to Amend Unified Development Code Section 3.5.3.1 – Setback, Driveways, Sidewalks, and Parking for Commercial, Retail, Office, and Industrial Use Buildings.

Explanation/Justification Details:

Approve an ordinance amending Section 3.5.3.1 of the Unified Development Code to clarify and consolidate setback standards for commercial, retail, office, and industrial buildings.  
  
The proposed amendments remove the requirements for build to line to allow for flexibility in commercial development. Building setbacks shall remain. By clearly distinguishing setback standards by use type and reaffirming the UDC's precedence, the amendment supports orderly development and consistent enforcement.  
  
Recommendation:  
Approve amendments to the UDC Section 3.5.3.1 – Setback, Driveways, Sidewalks, and Parking for Commercial, Retail, Office, and Industrial Use Buildings as recommended.

Requestor Signature:

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This section to be completed by City Secretary, City Attorney, and City Manager's Office only:

Legal Review is complete, legal documents are prepared:

City Attorney

Item is approved for placement on Council Agenda:

City Manager

Item is scheduled for placement on the Council Agenda.

City Secretary

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**Sec. 3.5.3.1. Setback, driveways, sidewalks, and parking for commercial/retail/office/industrial use buildings.**

The City of Iowa Colony Unified Development Code is a part of the Iowa Colony zoning ordinance, subdivision ordinance, and building codes. Other parts of those ordinances currently indicate minimum building setbacks. Over time, those other regulations will be incorporated into the Unified Development Code. Until the incorporation is complete, there may be conflicts between regulations for the same condition in the Unified Development Code and in those other sources. In the case of conflict between a regulation in the Unified Development Code and a regulation for the same condition in other parts of the zoning ordinance, subdivision ordinance, or building codes, the regulation expressed in the Unified Development Code shall prevail and supersede all other regulations, but only to the extent necessary to resolve the conflict. Regulations for building setbacks for nonresidential zoning districts and nonresidential uses are as follows:

- (a) *Front building setback for commercial/retail/office use buildings.* To encourage both pedestrian and vehicular building access, depending on the type of street frontage, the front wall of a building shall be located at or behind the building setback line per the zoning ordinance.
- (b) *Front building setback for industrial use buildings.* All industrial use buildings, regardless of the type of street frontage, shall be set back a minimum 50 feet from the front property line but may be more than 50 feet if the owner can provide evidence satisfactory to the city that a deeper setback is required for public safety.

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**Sec. 3.5.3.1. Setback, driveways, sidewalks, and parking for commercial/retail/office/industrial use buildings.**

The City of Iowa Colony Unified Development Code is a part of the Iowa Colony zoning ordinance, subdivision ordinance, and building codes. Other parts of those ordinances currently indicate minimum building setbacks. Over time, those other regulations will be incorporated into the Unified Development Code. Until the incorporation is complete, there may be conflicts between regulations for the same condition in the Unified Development Code and in those other sources. In the case of conflict between a regulation in the Unified Development Code and a regulation for the same condition in other parts of the zoning ordinance, subdivision ordinance, or building codes, the regulation expressed in the Unified Development Code shall prevail and supersede all other regulations, but only to the extent necessary to resolve the conflict. Regulations for building setbacks for nonresidential zoning districts and nonresidential uses are as follows:

- (a) *Front building setback for commercial/retail/office use buildings.* To encourage both pedestrian and vehicular building access, depending on the type of street frontage, the front wall of a building shall be located at or behind the building setback line per the zoning ordinance.
- (b) *Front building setback for industrial use buildings.* All industrial use buildings, regardless of the type of street frontage, shall be set back a minimum 50 feet from the front property line but may be more than 50 feet if the owner can provide evidence satisfactory to the city that a deeper setback is required for public safety.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE SECTION 3.5.3.1. – SETBACK, DRIVEWAYS, SIDEWALKS, AND PARKING FOR COMMERCIAL/RETAIL/OFFICE/INDUSTRIAL USE BUILDINGS; PROVIDING FOR AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT**

**WHEREAS**, this ordinance promotes the public health, safety, welfare, and enjoyment of the general public and to protect the public from hazards and conflicts that may be caused by inadequate or uncoordinated setbacks, driveways, sidewalks, and parking associated with commercial, retail, office, and industrial use buildings.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:**

**SECTION 1.** That the Iowa Colony Code of Ordinance, Appendix B – Unified Development Code, Sec. 3.5.3.1. - Setback, driveways, sidewalks, and parking for commercial/retail/office/industrial use buildings are hereby amended as follows:

**Sec. 3.5.3.1. - Setback, driveways, sidewalks, and parking for commercial/retail/office/industrial use buildings.**

**DELETING LANGUAGE AS FOLLOWS:**

- (a) the language in the sentence starting with “one of only three locations relative to the distance from the front property line, that property line that provides both legal and physical vehicular access to the property,” and all text, thereafter, including subsections (1) through (7).

**AMENDING TO READ AS FOLLOWS:**

- (a) Front building setback for commercial/retail/office use buildings. To encourage both pedestrian and vehicular building access, depending on the type of street frontage, the front wall of a building shall be located at or behind the building setback line per the zoning ordinance.

**AMENDING TO READ AS FOLLOWS:**

- (b) Front building setback for industrial use buildings. All industrial use buildings, regardless of the type of street frontage, shall be set back a minimum 50 feet from the front property line but may be more than 50 feet if the owner can provide evidence satisfactory to the city that a deeper setback is required for public safety.

**SECTION 2.** If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

**SECTION 3.** This ordinance shall be effective immediately upon its passage and approval.

**SECTION 4.** That it is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING ON THE 26<sup>TH</sup> DAY OF JANUARY 2026.

PASSED AND APPROVED ON THE SECOND READING ON THE \_\_\_\_\_ DAY OF FEBRUARY 2026.

**CITY OF IOWA COLONY, TEXAS**

**By:** \_\_\_\_\_  
**Wil Kennedy, Mayor**

**ATTEST:**

\_\_\_\_\_  
**KAYLEEN ROSSER, CITY SECRETARY**



# City Council Agenda Item Request Form

Item 20.

This form is required to be completed by the applicable deadline for placement of an item on the City Council Agenda.

Date: 1/16/2026

Department Making Request: 35 - Community Development

Person Making Request: Dinh Ho

Item Type: Ordinance

Budgeted? N/A (no cost) Cost: 0

If budgeted, identify account:

Short Description:

Consideration for the amendment to the UDC for revision to Sec. 3.5.3.12.(b) for non-residential storefront transparency requirements based on building uses.

Explanation/Justification Details:

The current standard requires 65 percent transparent material on exterior façades of commercial, retail, and office buildings facing a public street, measured generally from ground level to ten (10) feet above grade. Transparency is intended to enhance public safety, visibility, and visual engagement, allowing law enforcement and the public to observe interior conditions. Staff has received repeated variances for transparency adjustments. During a joint workshop between Council and P&Z members, it was recommended to grant staff certain administrative discretion for minor deviations due to function or architectural constraint. Transparency requirements shall be tailored by use type, with limited administrative discretion to address site-specific conditions while maintaining the intent of visibility and safety. Recommendation: Approve amendments to the UDC for the revision to Sec.3.5.3.12.(b), transparency.

Requestor Signature:

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This section to be completed by City Secretary, City Attorney, and City Manager's Office only:

Legal Review is complete, legal documents are prepared:

City Attorney

Item is approved for placement on Council Agenda:

City Manager

Item is scheduled for placement on the

Council Agenda.

City Secretary

### Sec. 3.5.3.12. Storefronts.

The primary purpose of a storefront is to display merchandise or market services to the public, both pedestrian and vehicular. Modern storefronts often consist of simple metal tubing and glass. Storefronts shall either align with the building wall or be slightly inset behind the building wall but not project from the building wall into the pedestrian space.

- (a) *Primary entrance treatment.* Each building shall have at least one visually identifiable building entrance on the facing street side. Additional building entrances are possible but all other building entrances shall be visually secondary to the primary building entrance. The primary building entrance shall have unique ornamentation and/or be larger in area than any other building entrance visible from a public street. Multiple tenants in the same building that are located adjacent to the exterior street facing wall may have individual tenant entrances. However, unless all building tenants have exterior entrances, the primary building entrance shall be visually identifiable.
- (b) *Transparency.* Each exterior wall of a non-residential building facing a public street must contain a minimum percentage of transparent material to allow visual penetration of at least three feet into the building. Transparency includes stationary glass, windows, and the glass area of doors, measured generally from ground level to ten (10) feet above grade. Transparency is intended to enhance **public safety, visibility, and visual engagement**, allowing law enforcement and the public to observe interior conditions.
  - (1) Retail/Commercial Uses:
    - Minimum 65 percent transparency on street-facing façades.
    - Administrative discretion of  $\pm 15$  percent may be granted by staff for minor deviations due to functional or architectural constraints.
  - (2) Institutional Uses (schools, daycares, hospitals, civic buildings):
    - Target 40 percent transparency on street-facing façades.
    - Administrative discretion of  $\pm 15$  percent to balance security, safety, and operational needs.
  - (3) Office and Light Industrial Uses:
    - Target 50 percent transparency on street-facing façades.
    - Administrative discretion of  $\pm 10$  percent based on building program and layout.
  - (4) Corner Lots and Secondary / Side Façades
    - Where façades face side streets, service drives, or are operationally constrained, transparency may be reduced by up to 50 percent, subject to staff determination.
- (c) *Canopies/overhang.* All glass display areas and entrances shall have an overhead canopy or permanent overhang at least four feet projecting from the building wall and extending at least the entire length of the display area or entrance. Building entrances inset at least four feet into the building from the exterior wall plane do not require a canopy or overhang.
- (d) *Street furniture.* All new buildings and all new additions with a new primary building entrance shall provide at least one two-person metal bench, at least one metal litter container, and at least one two-bike, two-point-of-contact metal bicycle rack, all located within 25 feet of the primary building entrance. These items must comply with any details in the engineering design criteria manual.

### Sec. 3.5.3.12. Storefronts.

The primary purpose of a storefront is to display merchandise or market services to the public, both pedestrian and vehicular. Modern storefronts often consist of simple metal tubing and glass. Storefronts shall either align with the building wall or be slightly inset behind the building wall but not project from the building wall into the pedestrian space.

- (a) *Primary entrance treatment.* Each building shall have at least one visually identifiable building entrance on the facing street side. Additional building entrances are possible but all other building entrances shall be visually secondary to the primary building entrance. The primary building entrance shall have unique ornamentation and/or be larger in area than any other building entrance visible from a public street. Multiple tenants in the same building that are located adjacent to the exterior street facing wall may have individual tenant entrances. However, unless all building tenants have exterior entrances, the primary building entrance shall be visually identifiable.
- (b) *Transparency.* Each exterior wall of a non-residential building facing a public street must contain a minimum percentage of transparent material to allow visual penetration of at least three feet into the building. Transparency includes stationary glass, windows, and the glass area of doors, measured generally from ground level to ten (10) feet above grade. Transparency is intended to enhance **public safety, visibility, and visual engagement**, allowing law enforcement and the public to observe interior conditions.

(1) Retail/Commercial Uses:

- Minimum 65 percent transparency on street-facing façades.
- Administrative discretion of  $\pm 15$  percent may be granted by staff for minor deviations due to functional or architectural constraints.

(2) Institutional Uses (schools, daycares, hospitals, civic buildings):

- Target 40 percent transparency on street-facing façades.
- Administrative discretion of  $\pm 15$  percent to balance security, safety, and operational needs.

(3) Office and Light Industrial Uses:

- Target 50 percent transparency on street-facing façades.
- Administrative discretion of  $\pm 10$  percent based on building program and layout.

(4) Corner Lots and Secondary / Side Façades

Where façades face side streets, service drives, or are operationally constrained, transparency may be **reduced by up to 50 percent**, subject to staff determination.(c) *Canopies/overhang.* All glass display areas and entrances shall have an overhead canopy or permanent overhang at least four feet projecting from the building wall and extending at least the entire length of the display area or entrance. Building entrances inset at least four feet into the building from the exterior wall plane do not require a canopy or overhang.

- (d) *Street furniture.* All new buildings and all new additions with a new primary building entrance shall provide at least one two-person metal bench, at least one metal litter container, and at least one two-bike, two-point-of-contact metal bicycle rack, all located within 25 feet of the primary building entrance. These items must comply with any details in the engineering design criteria manual.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE SECTION 3.5.3.12. STOREFRONTS; PROVIDING FOR AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT**

**WHEREAS**, this ordinance promotes the public health, safety, welfare, and enjoyment of the general public and to protect the public from hazards and conflicts that may be caused by storefronts that are not properly aligned with the building wall or that encroach into pedestrian space.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:**

**SECTION 1.** That the Iowa Colony Code of Ordinance, Appendix B – Unified Development Code, Sec. 3.5.3.12. – Storefronts are hereby amended as follows:

**Sec. 3.5.3.12. - Storefronts.**

**AMENDING TO READ AS FOLLOWS:**

(b) Transparency. Each exterior wall of a non-residential building facing a public street must contain a minimum percentage of transparent material to allow visual penetration of at least three feet into the building. Transparency includes stationary glass, windows, and the glass area of doors, measured generally from ground level to ten (10) feet above grade. Transparency is intended to enhance public safety, visibility, and visual engagement, allowing law enforcement and the public to observe interior conditions.

(1) Retail/Commercial Uses:

- Minimum 65 percent transparency on street-facing façades.
- Administrative discretion of  $\pm 15$  percent may be granted by staff for minor deviations due to functional or architectural constraints.

(2) Institutional Uses (schools, daycares, hospitals, civic buildings):

- Target 40 percent transparency on street-facing façades.
- Administrative discretion of  $\pm 15$  percent to balance security, safety, and operational needs.

(3) Office and Light Industrial Uses:

- Target 50 percent transparency on street-facing façades.
- Administrative discretion of  $\pm 10$  percent based on building program and layout.

(4) Corner Lots and Secondary / Side Façades. Where façades face side streets, service drives, or are operationally constrained, transparency may be reduced by up to 50 percent, subject to staff determination.

**SECTION 2.** If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

**SECTION 3.** This ordinance shall be effective immediately upon its passage and approval.

**SECTION 4.** That it is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING ON THE 26<sup>TH</sup> DAY OF JANUARY 2026.

PASSED AND APPROVED ON THE SECOND READING ON THE \_\_\_\_\_ DAY OF FEBRUARY 2026.

**CITY OF IOWA COLONY, TEXAS**

**By:** \_\_\_\_\_  
**Wil Kennedy, Mayor**

**ATTEST:**

\_\_\_\_\_  
**KAYLEEN ROSSER, CITY SECRETARY**



**CITY OF  
IOWA  
COLONY**

**CITY COUNCIL MEETING MINUTES**

Item 22.

**Monday, January 26, 2026  
7:00 PM**

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**Iowa Colony City Council Chambers, 3144 Meridiana Parkway, Iowa Colony, Texas 77583**

Phone: 281-369-2471 • Fax: 281-369-0005 • [www.iowacolonytx.gov](http://www.iowacolonytx.gov)

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STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 26th day of January 2026, the City Council of the City of Iowa Colony, Texas, held a meeting at 7:00 P.M. at the Iowa Colony City Council Chambers, there being present and in attendance the following members to wit:

Mayor Wil Kennedy  
Mayor Pro Tem Marquette Greene-Scott  
Councilmember Arnetta Murray  
Councilmember Nikki Brooks (Arrived at 6:07 P.M.)  
Councilmember Tim Varlack  
Councilmember Kareem Boyce  
Councilmember Sydney Hargroder

And none being absent, constituting a quorum at which time the following business was transacted.

**CALL TO ORDER**

Mayor Kennedy called the meeting to order at 7:00 p.m. Mayor Kennedy called a recess at 7:00 p.m. The Mayor and City Council returned back into session at 7:10 p.m.

**INVOCATION**

Reverend Duane Turner prayed aloud.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance and Texas Pledge were recited.

**CITIZEN COMMENTS**

The following citizens spoke regarding the building setback requirements in Magnolia Bend. They expressed concerns that the current setbacks are too restrictive and should be reduced. They also stated that the Unified Development Code and the Subdivision Ordinance appear to contain conflicting provisions and requested that the Council review the regulations.

Speakers:

Jose Bernal  
Charles Koch  
Curtis Olsen  
Brett Masoni  
Tim Allen

Michael Dunlap thanked Mayor Kennedy for the opportunity to speak. He addressed the consideration of adopting a City flag and outlined several reasons in support of the idea. He stated that a flag serves as a

strong symbol of identity and fosters a sense of community. It provides a visual representation of connection among residents and reflects the City's history; past, present, and future. He further noted that a City flag would symbolize the people of Iowa Colony and could be displayed at public buildings and community events as a reminder that Iowa Colony is a community built on unity and history.

## **SPECIAL PRESENTATIONS & ANNOUNCEMENTS**

### 1. Proclamation- Martin Luther King Jr. Day

Mayor Kennedy read aloud and presented the Martin Luther King Jr. Day Proclamation to Councilmember Arnetta Murray.

### 2. Officer recognition for performing emergency life saving techniques.

Chief Bell recognized Officer Portano for his actions on December 6, 2025, while assisting other agencies during a medical emergency. His quick response, effective life-saving measures, and coordination with assisting agencies played a critical role in stabilizing the patient and ultimately saving their life. Chief Bell also shared that he received a formal compliment recognizing Officer Portano's professionalism and dedication to public service, and he expressed his appreciation for Officer Portano's outstanding work.

City Manager Tarron Richardson presented a token of gratitude to Officer Portano on behalf of the City Council and himself in recognition of his actions and service.

## **PUBLIC HEARINGS**

### 3. Hold a public hearing pursuant to the City of Iowa Colony's Citizen Participation Plan regarding the completion of the City's Community Development Block Grant - Regional Mitigation project (GLO Contract #24-065-009-E166) to allow citizens the opportunity to review the project's performance and to discuss citizens' views, proposals, questions, and comments.

Mayor Kennedy opened the public hearing at 7:36 p.m. Megan Flynn with Public Management provided an overview of the CDBG award from the General Land Office (GLO) for the drainage improvement project. She asked if there were any questions and noted that the project is anticipated to reach full closeout by March. There were no additional comments. Mayor Kennedy closed the public hearing at 7:38 p.m.

## **COUNCIL COMMENTS**

Mayor Pro Tem Greene-Scott thanked everyone in attendance and recognized staff for their hard work on the MLK event, the State of the City, and the BCCA meeting. She quoted Dr. Martin Luther King Jr., stating, "We have some difficult days ahead, but we will get through it together, and we have to work through it together."

Councilmember Murray shared that she previously lived on 40 acres and noted that when you own land, you value the ability to use it as you choose.

Councilmember Brooks thanked everyone who participated in the MLK parade and said she was especially impressed by the involvement from the Magnolia Bend community. She encouraged continued engagement and offered her assistance to residents. She also expressed that it was great to see strong attendance at the City Council meeting, reflecting transparency and community involvement.

Councilmember Hargroder thanked everyone for attending and expressed appreciation to Councilmember Murray. She acknowledged the recognition given to staff for their hard work and stated that during her time serving alongside Councilmember Murray, she has witnessed her dedication to community building. She added that Councilmember Murray deserves recognition for her efforts. She also thanked the City Secretary for her efforts with the State of the City and BCCA.

Councilmember Boyce stated he was pleased to see a full gallery. He noted it had been a busy few weeks with the MLK parade, the City of Alvin’s first MLK event, the State of the City for Iowa Colony, and the BCCA meeting at Meridiana Elementary School. He shared that he served on the committee and worked closely with Councilmember Murray, noting that the MLK event has grown significantly and was a great success. He commended her for bringing the event to fruition and thanked staff, including Public Works and Albert Cantu. He also acknowledged the Police Department for their planning and dedication to ensuring safety during the events.

Councilmember Varlack thanked Councilmember Murray and Councilmember Boyce and recognized Mrs. Boyce for her speech at the MLK Day event. He also thanked Chief Bell and his staff for their leadership and service, particularly in light of current national challenges. He quoted Dr. Martin Luther King Jr. and stated that Iowa Colony must continue to be the light and change the world needs.

Mayor Kennedy thanked everyone for attending and welcomed Dr. Tarron Richardson to his first City Council meeting. He acknowledged the Police Department’s efforts and contributions, as well as the success of the MLK Day event and program. He also recognized the Iowa Colony Fire Department and thanked Councilmember Murray and her team for their work.

**STAFF REPORTS**

The City Secretary reminded everyone that the filing period for a place on the ballot closes on Friday, February 13, at 5:00 p.m. The positions up for election are Councilmember Position 1, Councilmember Position 2, and Councilmember Position 3.

Dinh Ho, City Engineer, provided clarification regarding the adoption dates of the Zoning Ordinance and the Subdivision Ordinance, as well as the building line setback regulations contained within each document.

Councilmember Brooks asked what the quickest resolution would be to address the issue. Mr. Ho explained that amending the ordinance would require a public hearing and formal action to revise the ordinance. He further noted that any amendment would need to be citywide and could not be limited to a specific subdivision.

Councilmember Boyce asked about issues related to stray animals and inquired about best practices residents can follow to assist staff in addressing the problem. Fire Marshal Cantu advised residents to microchip their pets, explaining that doing so greatly improves the City’s ability to identify and quickly reunite animals with their owners.

Councilmember Varlack inquired about the status of the gates at Sterling Lakes Drive. Dinh Ho responded that construction has begun.

- 4. Building Official/Fire Marshal Monthly Report
- 5. Public Works Monthly Report
- 6. Police Department Monthly Report
- 7. Municipal Court Monthly Report
- 8. City Engineer's Report
- 9. Finance Monthly Reports
- 10. Technology Department Monthly Report
- 11. Water/Wastewater Utility Monthly Report

**ITEMS FOR CONSIDERATION**

12. Consideration and possible action on a variance to the lighting requirements in the City's Unified Development Code for the Parkway Kia facility.

Motion made by Councilmember Varlack to approve a variance to the lighting requirements in the City's Unified Development Code for the Parkway Kia facility located at 25262 SH 288, subject to the conditions in the staff report, Seconded by Councilmember Hargroder.

Voting Yea: Mayor Kennedy, Councilmember Hargroder, Councilmember Boyce, Councilmember Brooks

Voting Nay: Mayor Pro Tem Greene-Scott, Councilmember Varlack

Voting Abstaining: Councilmember Murray

13. Consideration and possible action to reschedule the City's Regular Council Meeting on February 16, 2026, due to the observance of the President's Day Holiday.

Motion made by Councilmember Murray to reschedule the City's Regular Council Meeting on February 16, 2026, due to the observance of the President's Day Holiday to be held on Monday, February 23, 2026, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

14. Consideration and possible action approving a resolution adding and removing authorized signers for all bank accounts held by the City of Iowa Colony.

Motion made by Councilmember Hargroder to approve a resolution adding and removing authorized signers for all bank accounts held by the City of Iowa Colony and to remove the Interim City Manager and add the City Manager, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

15. Consideration and possible action for an amendment to the sign ordinance to expand the requirements for subdivision monument signage.

Motion made by Councilmember Boyce to approve an amendment to the sign ordinance to expand the requirements for subdivision monument signage, Seconded by Councilmember Hargroder.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

16. Consideration and possible action to amend the Unified Development Code Section 3.5.3.1 – Setback, Driveways, Sidewalks, and Parking for Commercial, Retail, Office, and Industrial Use Buildings.

Motion made by Mayor Pro Tem Greene-Scott to amend the Unified Development Code Section 3.5.3.1 – Setback, Driveways, Sidewalks, and Parking for Commercial, Retail, Office, and Industrial Use Buildings, Seconded by Councilmember Murray.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

17. Consideration and possible action on an amendment to the UDC Sec. 3.5.3.12.(b) for non-residential storefront transparency requirements based on building uses.

Motion made by Councilmember Hargroder to approve an amendment to the UDC Sec. 3.5.3.12.(b) for non-residential storefront transparency requirements based on building uses, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

18. Consideration and possible action to award the Solid Waste Collection Services contract in accordance with the City's RFP and authorizing the City Manager to negotiate and execute the agreement and related documents.

Motion made by Councilmember Varlack to award the contract to Best Trash for Service Solid Waste Collection Services in accordance with the City's RFP and authorizing the City Manager to negotiate and execute the agreement and related documents, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

19. Consideration and possible action to approve a joint election agreement with Brazoria County.

Motion made by Councilmember Hargroder to approve a joint election agreement with Brazoria County, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

20. Consideration and possible action on a resolution calling for the general election of officers to be held on May 2, 2026.

Motion made by Mayor Pro Tem Greene-Scott to adopt a resolution calling for the general election of officers to be held on May 2, 2026, Seconded by Councilmember Murray.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

21. Consideration and possible action to acknowledge receipt of the 2025 Charter Review Commission Report and discuss potential propositions for consideration in a Special Charter Election in May 2026.

Motion made by Councilmember Hargroder to acknowledge receipt of the 2025 Charter Review Commission Report and discuss potential charter amendments for possible adoption and submission to the voters in a Special Charter Election in May 2026, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

22. Consideration and possible action on a resolution calling for a Special Election to be held on May 2, 2026, on the adoption of amendments to the existing City of Iowa Colony Home Rule Charter.

Motion made by Councilmember Boyce to approve a resolution calling for a Special Election to be held on May 2, 2026, on the adoption of amendments to the existing City of Iowa Colony Home Rule Charter and to adopt the proposed charter amendments in their entirety for submission to the voters at the election with all propositions listed separately on the ballot, Seconded by Councilmember Hargroder.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

- 23. Consideration and possible action to approve a resolution authorizing a grant application through the Office of the Governor, Public Safety Office, Criminal Justice Division, for two-way radios for the Police Department.

Motion made by Councilmember Hargroder to approve a resolution authorizing a grant application through the Office of the Governor, Public Safety Office, Criminal Justice Division, for two-way radios for the Police Department, Seconded by Councilmember Murray.  
 Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

**CONSENT ORDINANCES – SECOND READING**

- 24. Consideration and possible action on an ordinance amending the FY2025-26 City Budget.

Motion made by Mayor Pro Tem Greene-Scott to approve an ordinance amending the FY2025-26 City Budget on second and final reading, Seconded by Councilmember Varlack. The City Secretary read the ordinance caption aloud.  
 Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

- 25. Consideration and possible action on a Resolution granting restricted prior service credit under the Texas Municipal Retirement System.

Motion made by Councilmember Hargroder to approve an ordinance granting restricted prior service credit under the Texas Municipal Retirement System on second and final reading, Seconded by Councilmember Brooks. The City Secretary read the ordinance caption aloud.  
 Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

**CONSENT AGENDA**

Motion made by Councilmember Hargroder to approve all consent items as presented with the removal of item no. 31 and item no. 32, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

- 26. Consider approval of the November 5, 2025 Amended City Council meeting minutes.
- 27. Consider approval of the November 17, 2025 City Council meeting minutes.
- 28. Consider approval of the November 17, 2025 City Council worksession minutes.
- 29. Consider approval of the November 20, 2025 City Council meeting minutes.
- 30. Consider approval of the December 8, 2025 City Council meeting minutes.
- 31. Consider approval of the December 15, 2025 City Council worksession minutes.

Motion made by Councilmember Hargroder to approve the December 15, 2025 City Council worksession minutes as presented, Seconded by Mayor Pro Tem Greene-Scott.  
 Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

- 32. Consider approval of the December 15, 2025 City Council meeting minutes.

Councilmember Brooks requested that this item be pulled, stating that a resident had contacted her with concerns that the minutes did not fully capture everything that was discussed.

Discussion was held regarding prior practices for meeting minutes. Councilmember Varlack requested that the City Secretary read the referenced item from the minutes aloud.

Motion made by Councilmember Hargroder to approve the December 15, 2025 City Council meeting minutes as presented, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

Voting Abstaining: Councilmember Brooks

- 33. Consider reappointment of Municipal Court Judge whose terms expires January 2026.
- 34. Consider approval of the Updated Ellwood General Development Plan.
- 35. Consider approval of Primrose School Meridiana Reserve Final Plat.
- 36. Consider approval of Meridiana Section 55C Final Plat.
- 37. Consider approval of Ellwood Karsten Boulevard Phase 4 Street Dedication Preliminary Plat.
- 38. Consider approval of the quarterly investment report.

**EXECUTIVE SESSION- 9:26 P.M.**

*Executive session in accordance with 551.071, 551.072, and 551.074 of the Texas Gov't Code to deliberate and consult with attorney on the following:*

- 39. Discussion on the purchase of real property and financial matters related thereto

**POST EXECUTIVE SESSION- 9:49 P.M.**

**ITEMS FOR CONSIDERATION**

- 40. Consideration and possible action on Executive Session matters.

Motion made by Mayor Pro Tem Greene-Scott to direct staff to finalize negotiations for the property, Seconded by Councilmember Hargroder.

Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce, Councilmember Brooks

**ADJOURNMENT**

The meeting was adjourned at 9:50 P.M.

APPROVED THIS 23<sup>rd</sup> DAY OF FEBRUARY 2026

\_\_\_\_\_  
Kayleen Rosser, City Secretary

\_\_\_\_\_  
Wil Kennedy, Mayor



Monday, January 12, 2026

Michael Turzillo  
EHRA Engineering  
10011 Meadowglen Lane  
Houston, TX 77042  
[mturzillo@ehra.team](mailto:mturzillo@ehra.team)

Re: Ellwood Section 3B Preliminary Plat  
Letter of Recommendation to Approve  
COIC Project No. 7474  
Adico, LLC Project No. 710-25-002-059

Dear Mr. Turzillo:

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the second submittal of the Ellwood Section 3B Preliminary Plat, received on or about January 13, 2026. The review of the plan is based on the City of Iowa Colony Subdivision Ordinance dated August 2002, and as amended.

Based on our review, we have no objection to the preliminary plat as resubmitted on January 13, 2026. Please provide ten (10) prints of the plat to Kayleen Rosser, City Secretary, by no later than Tuesday, January 27, 2026, for consideration at the February 3, 2026, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to call our office.

Sincerely,  
Adico, LLC



Dinn V. Ho, P.E.  
TBPE Firm No. 16423

Cc: Rachel Patterson  
Kayleen Rosser  
File: 710-25-002-059

**GENERAL NOTES:**

- Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
- The Coordinates shown hereon are Texas State Plane Coordinate No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.9998742185.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No.4803C1120K, dated December 30, 2020, the property lies within Zone AE, Shaded Zone X and Unshaded Zone X.  
This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRHA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRHA.
- B.C.C.F. indicates Brazoria County Clerk's File.  
B.L. indicates Building Line.  
D.E. indicates Drainage Easement.  
E.A.E. indicates Easement Access Easement.  
M.H. indicates Manhole.  
P.G. indicates Page.  
P.A.E. indicates Permanent Access Easement.  
P.O.B. indicates Point of Beginning.  
P.U.E. indicates Public Utility Easement.  
R indicates Radius.  
R.O.W. indicates Right-Of-Way.  
S.S.C. indicates Sanitary Sewer Control.  
S.S.E. indicates Sanitary Sewer Easement.  
S.T.M.S.E. indicates Storm Sewer Easement.  
U.E. indicates Utility Easement.  
VOL. indicates Volume.  
W.L.E. indicates Water Line Easement.  
X indicates change in street name.
- The property subdivided in the foregoing plat lies in Brazoria County, in the City of Iowa Colony, partially in Brazoria County M.U.D. No. 57, and Brazoria County Drainage District #5.
- Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, plantings, and other obstructions.
- This plat is subject to the Rally 288 West PUD Ordinance No. 2022-09 and as amended.
- Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
- Preliminary, this document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document.
- The approval of the preliminary plat shall expire twelve (12) months after City Council approval unless the final plat has been submitted for final approval during that time. An extension of time may be given at the discretion of the City Council for a single extension period of six (6) months.
- Drainage plans to be provided prior to final plat submittal.
- Owners do hereby certify that they are the owners of all property immediately adjacent to the boundaries of the above and foregoing subdivision of Ellwood Section 3B where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.
- No residential, commercial, or industrial structure, other than structures necessary to operate the Facility or Pipeline, shall be erected at or moved to a location nearer than fifty feet (50') to any Facility or Pipeline other than a low pressure distribution system pipeline as defined herein.
- Final plats are subject to the conditions and approval of the General Plan and adjacent plats.
- The entirety of this subdivision will be annexed into B.C.M.U.D. No. 57 prior to final plat approval.
- Approval of this plat is subject to final plat approval for Ellwood Section 3A.

**PARKLAND TABLE**

PLAT	ACREAGE
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57 LIFT STATION NO. 3	0.00 AC.
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57 WATER PLANT	0.00 AC.
DAVENPORT PARKWAY STREET DEDICATION	0.00 AC.
ELLWOOD DETENTION RESERVES 'A' AND 'B'	1.66 AC.
ELLWOOD DETENTION RESERVE 'C'	0.00 AC.
ELLWOOD DETENTION RESERVE 'D'	1.36 AC.
ELLWOOD DETENTION RESERVE 'E' PHASE 1'	0.96 AC.
ELLWOOD DETENTION RESERVE 'E' PHASE 2'	1.69 AC.
ELLWOOD DETENTION RESERVE 'F'	0.00 AC.
ELLWOOD DETENTION RESERVE 'H'	0.00 AC.
ELLWOOD KARSTEN BOULEVARD PHASE 1 STREET DEDICATION	0.00 AC.
ELLWOOD KARSTEN BOULEVARD PHASE 2 STREET DEDICATION	0.00 AC.
ELLWOOD KARSTEN BOULEVARD PHASE 3 STREET DEDICATION	0.00 AC.
ELLWOOD KARSTEN BOULEVARD PHASE 4 STREET DEDICATION	0.00 AC.
ELLWOOD RECREATION RESERVE	1.77 AC.
ELLWOOD SECTION 1A (10 LOTS)	0.51 AC.
ELLWOOD SECTION 1B (82 LOTS)	0.37 AC.
ELLWOOD SECTION 2 (26 LOTS)	0.47 AC.
ELLWOOD SECTION 3A (38 LOTS)	0.42 AC.
ELLWOOD SECTION 3B (39 LOTS)	0.00 AC.
ELLWOOD SECTION 4A (69 LOTS)	0.00 AC.
TOTAL	9.21 AC.
TOTAL REQUIRED 1/54 AC. PER LOT AT 264 LOTS	4.89 AC.

1) PARKLAND IN DETENTION RESERVES IS CALCULATED AT 50% OF THE AREA OF THE MAINTENANCE BERM IF MAINTENANCE BERM INCLUDES TRAILS, IS AN AVERAGE MINIMUM WIDTH OF 30' AND A MINIMUM WIDTH OF 20', AND HAS SIDE SLOPES THAT DO NOT EXCEED A 5:1 RATIO.  
2) ALL OTHER PARKLAND IS CALCULATED AS THE TOTAL OF RESERVES WITH A "RECREATION" RESTRICTION.

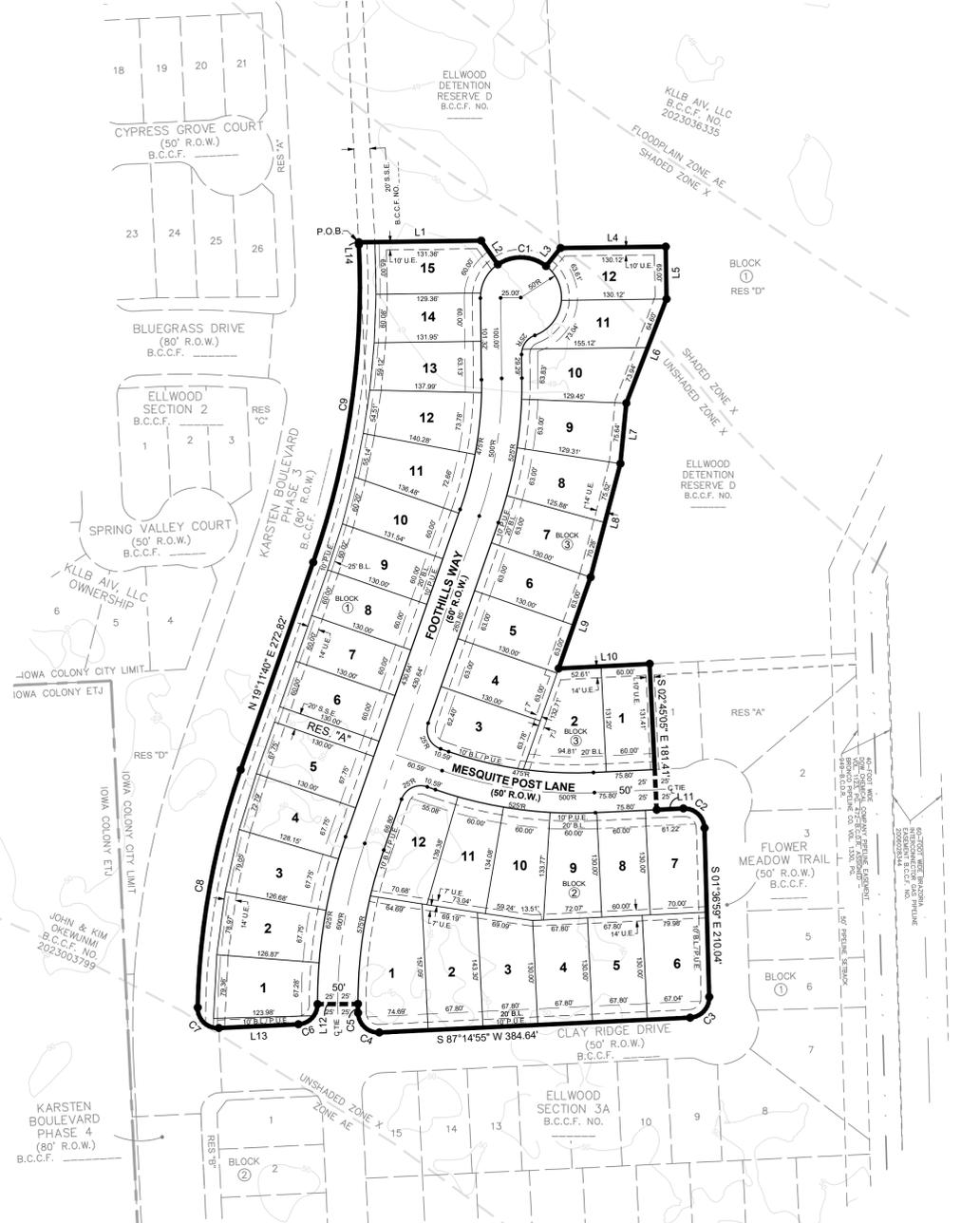
**LAND USE TABLE**

PLAT	SF - 60's	SF - 50's	COMM.	INST.	INTERMEDIATE COLLECTION	PARKS & OPEN SPACE	TOTAL
BCMUD NO. 57 LIFT STATION NO. 3	-	-	-	-	0.18 AC.	-	0.18 AC.
BCMUD NO. 57 WATER PLANT	-	-	-	-	1.34 AC.	-	1.34 AC.
DAVENPORT PKWY. ST. DEDICATION	-	-	-	-	1.48 AC.	-	1.48 AC.
ELLWOOD RECREATION RESERVE	-	-	-	-	-	1.77 AC.	1.77 AC.
ELLWOOD DETENTION RESERVES 'A' AND 'B'	-	-	-	-	-	24.76 AC.	24.76 AC.
ELLWOOD DETENTION RESERVE 'C'	-	-	-	-	-	9.11 AC.	9.11 AC.
ELLWOOD DETENTION RESERVE 'D'	-	-	-	-	-	15.10 AC.	15.10 AC.
ELLWOOD DETENTION RESERVE 'E' PH 1	-	-	-	-	-	15.29 AC.	15.29 AC.
ELLWOOD DETENTION RESERVE 'E' PH 2	-	-	-	-	-	14.12 AC.	14.12 AC.
ELLWOOD DETENTION RESERVE 'F'	-	-	-	-	0.46 AC.	9.55 AC.	10.01 AC.
ELLWOOD DETENTION RESERVE 'H'	-	-	-	-	-	9.33 AC.	9.33 AC.
ELLWOOD KARSTEN BLVD. PH. 1 ST. DEDICATION	-	-	-	-	1.58 AC.	-	1.58 AC.
ELLWOOD KARSTEN BLVD. PH. 2 ST. DEDICATION	-	-	-	-	2.12 AC.	0.34 AC.	2.46 AC.
ELLWOOD KARSTEN BLVD. PH. 3 ST. DEDICATION	-	-	-	-	2.82 AC.	0.03 AC.	2.85 AC.
ELLWOOD KARSTEN BLVD. PH. 4 ST. DEDICATION	-	-	-	-	2.39 AC.	0.04 AC.	2.43 AC.
ELLWOOD SECTION 1A	0.44 AC.	1.72 AC.	-	-	-	1.29 AC.	3.45 AC.
ELLWOOD SECTION 1B	3.89 AC.	11.35 AC.	-	-	-	7.58 AC.	22.82 AC.
ELLWOOD SECTION 2	-	4.82 AC.	-	-	-	3.40 AC.	8.22 AC.
ELLWOOD SECTION 3A	7.86 AC.	-	-	-	-	3.03 AC.	10.89 AC.
ELLWOOD SECTION 3B	7.92 AC.	-	-	-	-	2.08 AC.	10.00 AC.
ELLWOOD SECTION 4A	8.35 AC.	4.53 AC.	-	-	-	8.65 AC.	21.53 AC.
<b>TOTAL</b>	<b>28.46 AC.</b>	<b>22.42 AC.</b>	<b>9.11 AC.</b>	<b>1.52 AC.</b>	<b>10.85 AC.</b>	<b>116.36 AC.</b>	<b>188.72 AC.</b>
	(15.1%)	(11.9%)	(4.8%)	(0.8%)	(5.7%)	(61.7%)	(100%)

1) THIS TABLE TABULATES THE LAND USES WITHIN EACH PLAT FOR ZONING PURPOSES. NOT THE PERMITTED USES WITHIN EACH LAND USE.  
2) THIS TABLE INCLUDES ALL PRELIMINARY PLATS SUBMITTED AT THIS TIME.

**BENCHMARK(S):**

NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, 5-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND. ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT



**LOT SIZE TABLE**

BLOCK NO.	LOT NO.	LOT AREA (SQ. FT.)
1	1	9,208.59
	2	9,118.29
	3	9,168.50
	4	8,991.10
	5	8,807.50
	6	7,800.00
	7	7,800.00
	8	7,800.00
	9	7,846.06
	10	9,040.48
	11	9,090.73
	12	9,197.94
	13	8,291.08
	14	7,828.03
	15	9,028.26
2	1	12,851.67
	2	10,183.00
	3	9,264.78
	4	8,814.00
	5	8,814.00
	6	10,102.10
	7	9,127.24
	8	7,800.00
	9	8,518.09
	10	8,760.98
	11	8,889.48
3	1	9,806.13
	2	7,878.30
	3	10,116.22
	4	9,052.84
	5	8,190.00
	6	8,190.00
	7	8,408.29
	8	8,634.64
	9	8,769.08
	10	9,363.43
	11	8,245.72
	12	8,869.26

**CURVE TABLE**

CURVE	RADIUS	BEARING	CHORD	LENGTH
C1	50.00'	S 88°07'38" E	59.68'	63.96'
C2	25.00'	S 47°11'02" E	35.70'	39.77'
C3	25.00'	S 42°48'58" W	35.00'	38.77'
C4	25.00'	N 47°02'17" W	35.79'	39.89'
C5	575.00'	N 00°46'23" W	11.07'	11.07'
C6	25.00'	S 43°30'49" W	34.57'	38.17'
C7	25.00'	N 45°46'18" W	36.56'	41.00'
C8	960.00'	N 10°12'04" E	300.13'	301.36'
C9	1040.00'	N 08°08'33" E	398.72'	401.21'

**RESERVE TABLE**

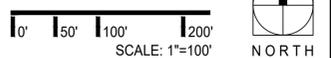
RESERVE	RESTRICTIONS	SQ. FT.	ACREAGE
A	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	23,901.67	0.55
	TOTAL	23,901.67	0.55

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 89°14'41" E	151.37'
L2	S 34°46'15" E	36.12'
L3	N 38°31'00" E	28.73'
L4	N 89°14'41" E	130.12'
L5	S 00°45'19" E	65.00'
L6	S 20°59'29" W	138.53'
L7	S 05°31'25" W	75.64'
L8	S 14°39'00" W	145.80'
L9	S 19°11'40" W	120.07'
L10	N 87°03'07" E	112.61'
L11	N 87°14'55" E	32.98'
L12	S 89°46'43" W	50.00'
L13	S 87°14'55" W	98.40'
L14	N 02°54'34" W	2.97'

**OWNER CONTACT INFORMATION**  
TRACIE D. YODER  
2504 COUNTY ROAD 758  
ROSHARON, TX 77583  
(281)-542-7817

**OWNER CONTACT INFORMATION**  
KLLB AIV LLC, A DELAWARE LIMITED LIABILITY COMPANY  
6900 E. CAMELBACK ROAD, SUITE 800  
SCOTTSDALE, AZ 85251  
(786)-753-8110



**Ellwood Section 3B Preliminary Plat**

Being a subdivision of 10.00 acres out of the W. H. Dennis Survey, A-512, in the City of Iowa Colony, Brazoria County, Texas.

39 Lots, 3 Blocks and 2 Reserves

Owners: KLLB AIV, LLC, a Texas Limited Partnership, and Tracie D. Yoder

January 7, 2026



10011 MEADOWGLEN LANE  
HOUSTON, TEXAS 77042  
713.784.4500  
WWW.EHRHA.COM  
TBPE No. F-726  
TBPLS No. 10092300

EHRA JOB NO. 221-022-03 No warranty or representation of intended use, design or proposed improvements are made herein. All Plans for land or facilities are subject to change without notice.

P:\221-022-03\PLAT\Section 3B\Ellwood Section 3B\_Plat\_Rev20260115.dwg Jun 12, 2026 - 3:30pm. Edited by: crogas

Monday, January 12, 2026

Jacey Neuberger  
EHRA Engineering  
10011 Meadowglen Lane  
Houston, TX 77042  
[jneuberger@ehra.team](mailto:jneuberger@ehra.team)

Re: Meridiana Section 34D Preliminary Plat  
Letter of Recommendation to Approve  
COIC Project No. 7476  
Adico, LLC Project No. 710-25-002-061

Dear Ms. Neuberger:

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the initial submittal of Meridiana Section 34D Preliminary Plat received on or about January 7, 2026. The review of the plat is based on the City of Iowa Colony Subdivision Ordinance dated August 2002, and as amended.

Based on our review, we have no objection to the plat as submitted on January 7, 2026. Please provide ten (10) folded copies of the plat Kayleen Rosser, City Secretary, by no later than Tuesday, January 27, 2026, for consideration at the February 3, 2026, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to call our office.

Sincerely,  
Adico, LLC



Dinh V. Ho, P.E.  
TBPE Firm No. 16423

Cc: Kayleen Rosser, COIC  
File: 710-25-002-061

**GENERAL NOTES:**

- Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
- The Coordinates shown hereon are Texas South Central Zone No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.9998742185.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No. 49030110K and No. 490300129K, dated December 30, 2020, the property lies within Unshaded Zone X.  
This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA.
- B.C.C.F. indicates Brazoria County Clerk's File.  
B.C.P.R. indicates Brazoria County Plat Records.  
B.L. indicates Building Line.  
D.E. indicates Drainage Easement.  
M.H. indicates Manhole.  
P.G. indicates Page.  
P.A.E. indicates Permanent Access Easement.  
P.O.B. indicates Point of Beginning.  
P.U.E. indicates Public Utility Easement.  
P.V.T. indicates Private.  
R indicates Radius.  
R.O.W. indicates Right-Of-Way.  
S.S.E. indicates Sanitary Sewer Easement.  
S.T.M.S.E. indicates Storm Sewer Easement.  
U.E. indicates Utility Easement.  
W.L.E. indicates Water Line Easement.  
X indicates change in street name.
- The property subdivided in the foregoing plat lies in Brazoria County, the City of Alvin, the City of Iowa Colony, and Brazoria County Drainage District No. 5.
- Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, plantings, and other obstructions.
- The Developer/Homeowners' Association and Municipal Utility District shall be responsible for maintenance of all reserves.
- Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
- Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
- The approval of the preliminary plat shall expire twelve months after City Council approval unless the final plat has been submitted for final approval during that time. An extension of time may be given at the discretion of the City Council for a single extension period of six months.
- Drainage plans to be provided prior to final plat submittal.
- Owners do hereby certify that they are the owners of all property immediately adjacent to the boundaries of the above and foregoing subdivision of Meridiana Section 34B where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.
- This plat is subject to the Development Agreement for Meridiana PUD Amendment Number 4
- This plat is subject to an interlocal agreement between Iowa Colony and Alvin whereby Iowa Colony in granted authority to approve subdivisions within the 1 foot strip along the northern boundary of this plat as recorded at \_\_\_\_\_ of the Brazoria County Clerk's Files.
- All area of this subdivision except the 1 foot Alvin Strip shall be annexed into Brazoria County Municipal Utility District No. 55 prior to final plat approval.
- Off-street guest parking spaces will be provided by Section 34B, which has 5 excess parking spaces

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S02°40'43"E	113.82'
L2	S87°56'07"W	118.97'
L3	N07°00'52"W	65.99'
L4	N29°12'27"W	6.81'
L5	S87°19'17"W	46.58'

**CURVE TABLE**

CURVE	RADIUS	BEARING	CHORD	LENGTH
C1	175.00'	S83°59'14"W	20.36'	20.37'
C2	25.00'	N82°09'32"W	9.13'	9.18'
C3	50.00'	S45°12'26"W	89.22'	110.22'
C4	2060.00'	N21°25'31"W	106.94'	106.95'

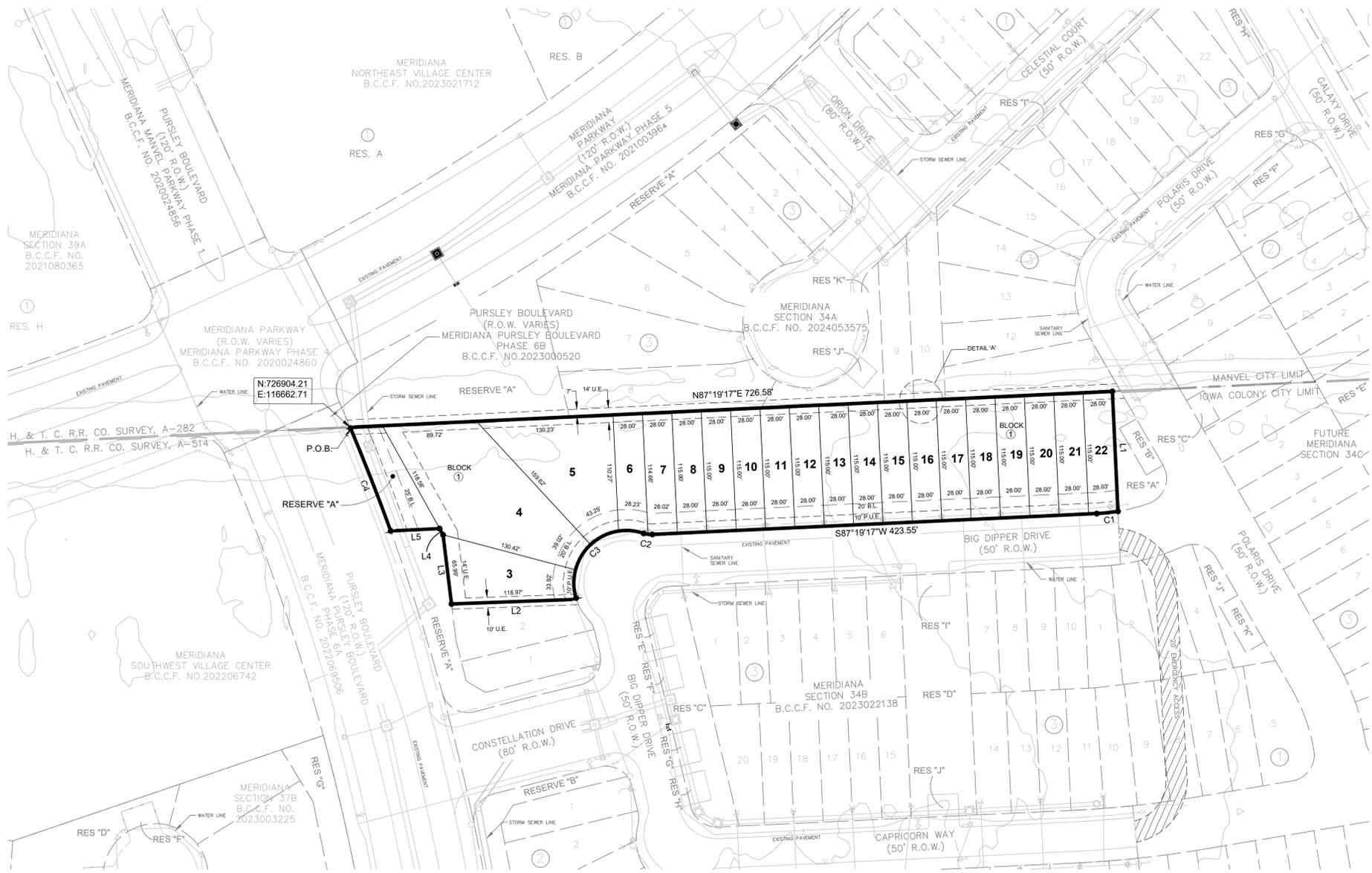
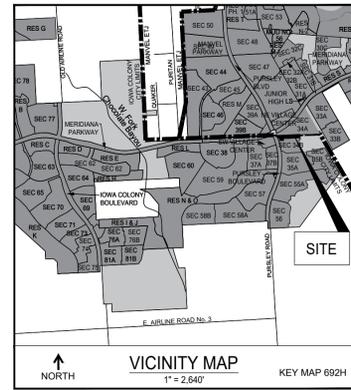
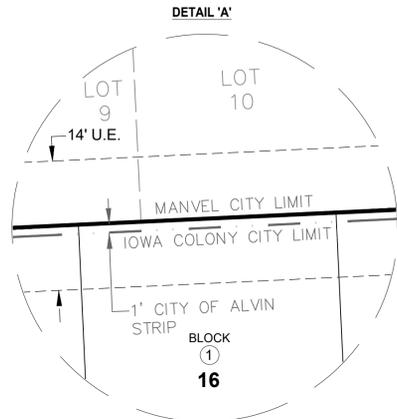
**OFF-STREET GUEST PARKING SPACES**

NO. OF PROPOSED LOTS	NO. OF GUEST SPACES REQUIRED	NO. OF GUEST SPACES PROVIDED
20	5	0

5 EXCESS SPACES IN SECTION 34B

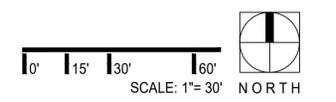
**RESERVE TABLE**

RESERVE	RESTRICTIONS	SQ. FT.	ACREAGE
A	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	3,813.43'	0.09
TOTAL		3,813.43'	0.09



**BENCHMARK(S):**  
 NOS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, 5-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.  
 ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT

**OWNER CONTACT INFORMATION**  
 GR-M1, LTD., A TEXAS LIMITED PARTNERSHIP  
 1602 AVENUE D, STE. 100  
 KATY, TX 77493  
 832-916-2162



**Meridiana Section 34D**  
 A Subdivision of 2.01 acres out of the H.T. & B. R.R. Co. Survey, Section 54, A-512, City of Iowa Colony and City of Alvin, Brazoria County, Texas.  
 20 Lots, 1 Block and 1 Reserve  
 Owner: GR-M1, LTD., a Texas Limited Partnership

January 7, 2026



Monday, January 12, 2026

Michael Turzillo  
EHRA Engineering  
10011 Meadowglen Lane  
Houston, TX 77042  
[mturzillo@ehra.team](mailto:mturzillo@ehra.team)

Re: Ellwood Detention Reserve 'D' Preliminary Plat  
Letter of Recommendation to Approve  
COIC Project No. 7473  
Adico, LLC Project No. 710-25-002-058

Dear Mr. Turzillo:

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the initial submittal of Ellwood Detention Reserve 'D' Preliminary Plat received on or about January 7, 2026. The review of the plat is based on the City of Iowa Colony Subdivision Ordinance dated August 2002, and as amended.

Based on our review, we have no objection to the plat as submitted on January 7, 2026. Please provide ten (10) folded copies of the plat Kayleen Rosser, City Secretary, by no later than Tuesday, January 27, 2026, for consideration at the February 3, 2026, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to call our office.

Sincerely,  
Adico, LLC

  
Dinh V. Ho, P.E.  
TBPE Firm No. 16423

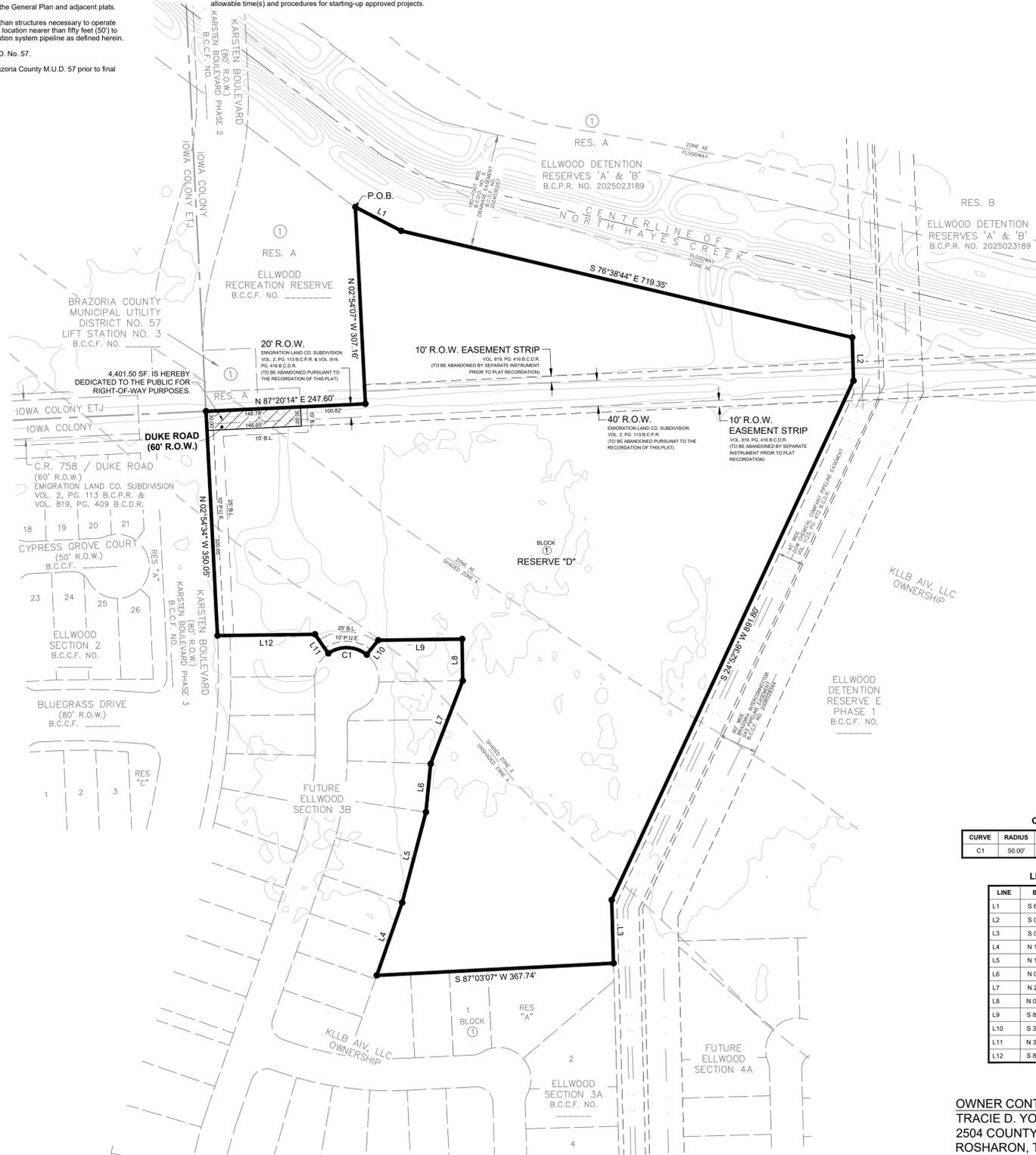
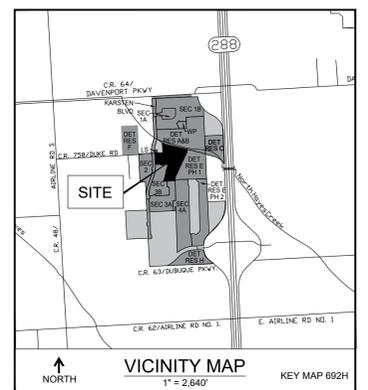
Cc: Kayleen Rosser, COIC  
File: 710-25-002-058

**GENERAL NOTES:**

- Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
- The Coordinates shown here are Texas South Central Zone No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.9998742185.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No. 48039C0120K, dated December 30, 2020, the property lies within Zone AE, Shaded Zone X and Unshaded Zone X.  
This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. db/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. db/a EHRA.
- B.C.C.F. indicates Brazoria County Clerk's File.  
B.L. indicates Building Line.  
D.E. indicates Drainage Easement.  
E.A.E. indicates Emergency Access Easement.  
M.H. indicates Manhole.  
P.G. indicates Page.  
P.A.E. indicates Permanent Access Easement.  
P.O.B. indicates Point of Beginning.  
P.U.E. indicates Public Utility Easement.  
P.V.T. indicates Private.  
R indicates Radius.  
R.O.W. indicates Right-Of-Way.  
S.S.C. indicates Sanitary Sewer Control.  
S.S.E. indicates Sanitary Sewer Easement.  
S.T.M.S.E. indicates Storm Sewer Easement.  
U.E. indicates Utility Easement.  
VOL. indicates Volume.  
W.L.E. indicates Water Line Easement.  
X indicates change in street name.
- The property subdivided in the foregoing plat is located in Brazoria County, the City of Iowa Colony, Brazoria County Drainage District #5, and partially within Brazoria County M.U.D. No. 57.
- Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, plantings, and other obstructions.
- This plat is subject to the Rally 288 West PUD Ordinance No. 2022-09.
- Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
- Preliminary, this document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document.
- The approval of the preliminary plat shall expire twelve (12) months after City Council approval unless the final plat has been submitted for final approval during that time. An extension of time may be given at the discretion of the City Council for a single extension period of six (6) months.
- Drainage plans to be provided prior to final plat submittal.
- Owners do hereby certify that they are the owners of all property immediately adjacent to the boundaries of the above and foregoing subdivision of Ellwood Detention Reserve 'H' where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.
- Final Plats are subject to the conditions and approval of the General Plan and adjacent plats.
- No residential, commercial, or industrial structure, other than structures necessary to operate the Facility or Pipeline, shall be erected at or moved to a location nearer than fifty feet (50') to any Facility or Pipeline other than a low pressure distribution system pipeline as defined herein.
- All reserves will be maintained by Brazoria County M.U.D. No. 57.
- The entirety of this subdivision shall be annexed into Brazoria County M.U.D. 57 prior to final plat submittal.

**BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5 NOTES:**

- Stab elevations (finished floor) shall be a minimum of 2 feet above natural grade.
- All drainage easements shown hereon shall be kept clear of fences, buildings, plantings and other obstructions to the operation and maintenance of drainage facilities.
- All property shall drain into the drainage easement only through an approved drainage structure.
- All drainage easements and detention pond reserves shown on this plat, will be maintained by the property owners and/or business owners, provided, however, and governmental entity has jurisdiction, including, without limitation, Brazoria County, Texas and Brazoria County Drainage District #5, shall have the right, but not the obligation to enter upon the drainage easements to perform maintenance operations at any time after the date hereof.
- The property identified in the foregoing plat lies within Brazoria County Drainage District #5.
- This rural subdivision employs a natural drainage system, which is intended to provide drainage for the subdivision that is similar to that which existed under pre-development conditions. Thus, during large storm events, ponding of water should be expected to occur in the subdivision to the extent it may have prior to development, but such ponding should not remain for an extended period of time.
- Land use within the subdivision is limited to an average imperviousness of no more than 72 percent. The drainage and/or detention system has been designed with the assumption that this average percent imperviousness will not be exceeded. If this percentage is to be exceeded, a replat and/or redesign of the system may be necessary.
- Other than shown hereon, there are no pipeline easements or pipelines within the boundaries of this plat.
- All storm water drainage pipes, culverts, tiles or other (includes driveway culverts) will be minimum 24" I.D. or equal.
- Dedicated drainage easement(s) granted to Brazoria County Drainage District #5 for drainage maintenance purposes shall include 45 feet top of bank, plus the sum (footage) of both ditch side slopes and channel bottom and 45 feet of bank on the opposite bank.
- Dedicated ingress/egress accesses are granted to Brazoria County Drainage District #5 (see District Resolution No 2007-06 & 2007-07). Access will be gated and locked with Brazoria County Drainage District #5's lock.
- Prohibited use of "metal" pipe in storm water/sewer applications (See District Resolution No. 2007-08).
- Prohibited use of "rip rap" in storm water/sewer applications. (District Policy).
- Pipelines, utility lines and other crossing under any Brazoria County Drainage District #5 ditch require approval and permitting prior to construction.
- All dedicated storm water drainage and/or access easements to be granted to Brazoria County Drainage District #5 by the property owner will be initiated and recorded, at the property owner's expense, in Brazoria County, Texas with a "Recorded Document Number" affixed to said easement prior to final approval granted by Brazoria County Drainage District #5 Board of Commissioners.
- It will be the property owner's responsibility to verify if any Brazoria County Drainage District #5 "Dedicated" drainage easements are on or cross their property. If so, the property owner will comply as stated within the recorded easement.
- Project field start-up will start within 365 calendar days from date shown here. Continuous and reasonable field site work is expected. See Brazoria County drainage criteria manual section 1, Introduction; Sub-Section 1.5. Plat and Plan approval process, and drainage acceptance procedures; time limit for approval and Brazoria County Drainage District #5 Resolution 2011-1, allowable time(s) and procedures for starting-up approved projects.



Monday, January 12, 2026

Michael Turzillo  
EHRA Engineering  
10011 Meadowglen Lane  
Houston, TX 77042  
[mturzillo@ehra.team](mailto:mturzillo@ehra.team)

Re: Ellwood Detention Reserve "E" Phase 2 Preliminary Plat  
Letter of Recommendation to Approve  
COIC Project No. 7475  
Adico, LLC Project No. 710-25-002-060

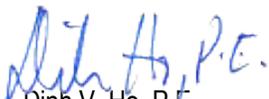
Dear Mr. Turzillo:

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the second submittal of the Ellwood Detention Reserve "E" Phase 2 Preliminary Plat, received on or about January 13, 2026. The review of the plan is based on the City of Iowa Colony Subdivision Ordinance dated August 2002, and as amended.

Based on our review, we have no objection to the preliminary plat as resubmitted on January 13, 2026. Please provide ten (10) prints of the plat to Kayleen Rosser, City Secretary, by no later than Tuesday, January 27, 2026, for consideration at the February 3, 2026, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to call our office.

Sincerely,  
Adico, LLC

  
Dinh V. Ho, P.E.  
TBPE Firm No. 16423

Cc: Rachel Patterson  
Kayleen Rosser  
File: 710-25-002-060

**GENERAL NOTES:**

- Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
- The Coordinates shown hereon are Texas South Central Zone No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.99986742185.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No.4803500120K, dated December 30, 2020, the property lies within Zone AE, Shaded Zone X and Unshaded Zone X.  
This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA.
- B.C.C.F. indicates Brazoria County Clerk's File.  
B.L. indicates Building Line.  
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E.A.E. indicates Emergency Access Easement.  
M.H. indicates Manhole.  
P.G. indicates Page.  
P.A.E. indicates Permanent Access Easement.  
P.O.B. indicates Point of Beginning.  
P.U.E. indicates Public Utility Easement.  
P.F. indicates Power Pole.  
P.V.T. indicates Private.  
R. indicates Radius.  
R.O.W. indicates Right-Of-Way.  
S.S.C. indicates Sanitary Sewer Control.  
S.S.E. indicates Sanitary Sewer Easement.  
S.T.M.S.E. indicates Storm Sewer Easement.  
U.E. indicates Utility Easement.  
VOL. indicates Volume.  
W.L.E. indicates Water Line Easement.  
X indicates change in street name.
- The property subdivided in the foregoing plat lies in Brazoria County, the City of Iowa Colony, Brazoria County M.U.D. No. 57, and Brazoria County Drainage District #5.
- Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, plantings, and other obstructions.
- This plat is subject to the Rally 288 West PUD Ordinance No. 2022-09 and as amended.
- Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
- Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
- The approval of the preliminary plat shall expire twelve (12) months after City Council approval unless the final plat has been submitted for final approval during that time. An extension of time may be given at the discretion of the City Council for a single extension period of six (6) months.
- Drainage plans to be provided prior to final plat submittal.
- Owners do hereby certify that they are the owners of all property immediately adjacent to the boundaries of the above and foregoing subdivision of Ellwood Det "E" Ph 2 where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.
- Final plats are subject to the conditions and approval of the General Plan and adjacent plats.
- Reserve "E-2" will be owned and maintained by Brazoria County M.U.D. No. 57, and Reserve "A", except as it pertains to CenterPoint utilities.

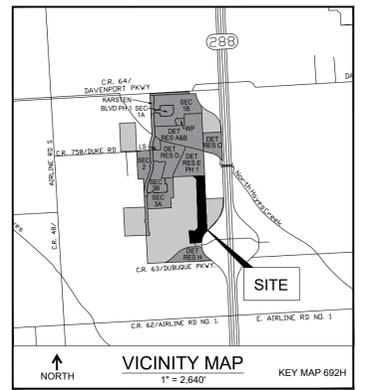
**BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5 NOTES:**

- All drainage easements shown hereon shall be kept clear of fences, buildings, plantings and other obstructions to the operation and maintenance of drainage facilities.
- All property shall drain into the drainage easement only through an approved drainage structure.
- All drainage easements and detention pond reserves shown on this plat, will be maintained by the property owners and/or business owners, provided, however, and governmental entity have jurisdiction, including, without limitation, Brazoria County, Texas and Brazoria County Drainage District #5, shall have the right, but not the obligation to enter upon the drainage easements to perform maintenance operations at any time after the date hereof.
- The property identified in the foregoing plat lies within Brazoria County Drainage District #5.
- This rural subdivision employs a natural drainage system, which is intended to provide drainage for the subdivision that is similar to that which existed under pre-development conditions. Thus, during large storm events, ponding of water should be expected to occur in the subdivision to the extent it may have prior to development, but such ponding should not remain for an extended period of time.
- Land use within the subdivision is limited to an average imperviousness of no more than 72 percent. The drainage and/or detention system has been designed with the assumption that this average percent imperviousness will not be exceeded. If this percentage is to be exceeded, a replat and/or redesign of the system may be necessary.
- Other than shown hereon, there are no pipeline easements or pipelines within the boundaries of this plat.
- All storm water drainage pipes, culverts, tiles or other (includes driveway culverts) will be minimum 24" I.D. or equal.
- Dedicated drainage easement(s) granted to Brazoria County Drainage District #5 for drainage maintenance purposes shall include 45 feet top of bank, plus the sum (footage) of both ditch side slopes and channel bottom and 45 feet of bank on the opposite bank.
- Dedicated ingress/egress accesses are granted to Brazoria County Drainage District #5 (see District Resolution No 2007-06 & 2007-07). Access will be gated and locked with Brazoria County Drainage District #5's lock.
- Prohibited use of "metal" pipe in storm water/sewer applications (See District Resolution No. 2007-08).
- Prohibited use of "rip rap" in storm water/sewer applications. (District Policy).
- Pipelines, utility lines and other crossing under any Brazoria County Drainage District #5 ditch require approval and permitting prior to construction.
- All dedicated storm water drainage and/or access easements to be granted to Brazoria County Drainage District #5 by the property owner will be initiated and recorded, at the property owner's expense, in Brazoria County, Texas with a "Recorded Document Number" affixed to said easement prior to final approval granted by Brazoria County Drainage District #5 Board of Commissioners.
- It will be the property owner's responsibility to verify if any Brazoria County Drainage District #5 "Dedicated" drainage easements are on or cross their property. If so, the property owner will comply as stated within the recorded easement.
- Project field start-up will start within 365 calendar days from date shown here. Continuous and reasonable field site work is expected. See Brazoria County drainage criteria manual section 1. Introduction; Sub-Section 1.5. Plat and Plan approval process, and drainage acceptance procedures; time limit for approval and Brazoria County Drainage District #5 Resolution 2011-1, allowable time(s) and procedures for starting-up approved projects.

**LAND USE TABLE**

PLAT	SF - 60%	SF - 50%	COMM.	INST.	ARTERIALS & PARKS & COLLECTORS OPEN SPACE	TOTAL
BCMUD NO. 57 LIFT STATION NO. 3	-	-	-	0.18 AC.	-	0.18 AC.
BCMUD NO. 57 WATER PLANT	-	-	-	1.34 AC.	-	1.34 AC.
DAVENPORT PKWY. ST. DEDICATION	-	-	-	1.48 AC.	-	1.48 AC.
ELLWOOD RECREATION RESERVE	-	-	-	1.77 AC.	-	1.77 AC.
ELLWOOD DETENTION RESERVES 'A' AND 'B'	-	-	-	24.76 AC.	-	24.76 AC.
ELLWOOD DETENTION RESERVE 'C'	-	-	-	9.11 AC.	-	9.11 AC.
ELLWOOD DETENTION RESERVE 'D'	-	-	-	15.10 AC.	-	15.10 AC.
ELLWOOD DETENTION RESERVE 'E' PH 1	-	-	-	15.29 AC.	-	15.29 AC.
ELLWOOD DETENTION RESERVE 'E' PH 2	-	-	-	14.12 AC.	-	14.12 AC.
ELLWOOD DETENTION RESERVE 'F'	-	-	-	0.46 AC.	9.55 AC.	10.01 AC.
ELLWOOD DETENTION RESERVE 'H'	-	-	-	-	9.33 AC.	9.33 AC.
ELLWOOD KARSTEN BLVD. PH. 1 ST. DEDICATION	-	-	-	1.58 AC.	-	1.58 AC.
ELLWOOD KARSTEN BLVD. PH. 2 ST. DEDICATION	-	-	-	2.12 AC.	0.34 AC.	2.46 AC.
ELLWOOD KARSTEN BLVD. PH. 3 ST. DEDICATION	-	-	-	2.82 AC.	0.03 AC.	2.85 AC.
ELLWOOD KARSTEN BLVD. PH. 4 ST. DEDICATION	-	-	-	2.39 AC.	0.04 AC.	2.43 AC.
ELLWOOD SECTION 1A	0.44 AC.	1.72 AC.	-	-	1.29 AC.	3.45 AC.
ELLWOOD SECTION 1B	3.89 AC.	11.35 AC.	-	-	7.58 AC.	22.82 AC.
ELLWOOD SECTION 2	-	4.82 AC.	-	-	3.40 AC.	8.22 AC.
ELLWOOD SECTION 3A	7.86 AC.	-	-	-	3.03 AC.	10.89 AC.
ELLWOOD SECTION 3B	7.92 AC.	-	-	-	2.08 AC.	10.00 AC.
ELLWOOD SECTION 4A	8.35 AC.	4.53 AC.	-	-	8.65 AC.	21.53 AC.
<b>TOTAL</b>	<b>28.46 AC. (15.1%)</b>	<b>22.42 AC. (11.9%)</b>	<b>9.11 AC. (4.8%)</b>	<b>1.52 AC. (0.8%)</b>	<b>10.85 AC. (5.7%)</b>	<b>116.36 AC. (61.7%)</b>
						<b>188.72 AC. (100%)</b>

1) THIS TABLE TABULATES THE LAND USES WITHIN EACH PLAT FOR ZONING PURPOSES, NOT THE PERMITTED USES WITHIN EACH LAND USE.  
2) THIS TABLE INCLUDES ALL PRELIMINARY PLATS SUBMITTED AT THIS TIME.



**RESERVE TABLE**

RESERVE	RESTRICTIONS	SQ. FT.	ACREAGE
E-2	DETENTION, LANDSCAPE, OPEN SPACE, RECREATION & UTILITY PURPOSES	474,634.99	10.90
A	LANDSCAPE, OPEN SPACE & UTILITY PURPOSES	140,053.02	3.22
	<b>TOTAL</b>	<b>614,688.99</b>	<b>14.12</b>

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S48°10'46"W	18.83
L2	S46°37'32"W	69.92
L3	N08°33'59"W	25.67
L4	N01°30'15"W	60.00
L5	N88°29'45"E	103.45
L6	N50°50'46"E	63.29
L7	N31°36'58"E	63.29
L8	N46°30'15"W	141.42

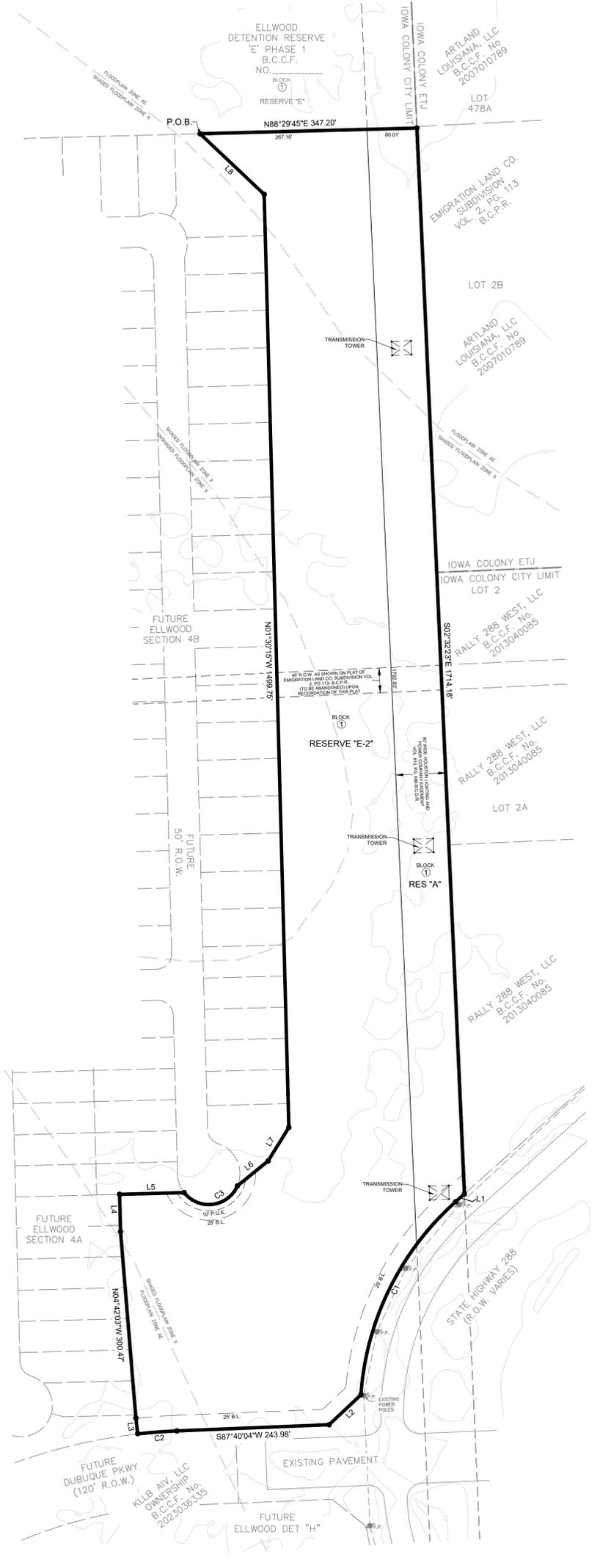
**CURVE TABLE**

CURVE	RADIUS	BEARING	CHORD	LENGTH
C1	458.37	N26°03'17"E	345.27	354.00'
C2	860.00'	N85°34'35"E	62.77	62.78'
C3	50.00'	S82°46'08"W	85.93	103.39'

**PARKLAND TABLE**

PLAT	ACREAGE
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57 LIFT STATION NO. 3	0.00 AC.
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57 WATER PLANT	0.00 AC.
DAVENPORT PARKWAY STREET DEDICATION	0.00 AC.
ELLWOOD DETENTION RESERVES 'A' AND 'B'	1.66 AC.
ELLWOOD DETENTION RESERVE 'C'	0.00 AC.
ELLWOOD DETENTION RESERVE 'D'	1.36 AC.
ELLWOOD DETENTION RESERVE 'E' PHASE 1	0.96 AC.
ELLWOOD DETENTION RESERVE 'E' PHASE 2	1.69 AC.
ELLWOOD DETENTION RESERVE 'F'	0.00 AC.
ELLWOOD DETENTION RESERVE 'H'	0.00 AC.
ELLWOOD KARSTEN BOULEVARD PHASE 1 STREET DEDICATION	0.00 AC.
ELLWOOD KARSTEN BOULEVARD PHASE 2 STREET DEDICATION	0.00 AC.
ELLWOOD KARSTEN BOULEVARD PHASE 3 STREET DEDICATION	0.00 AC.
ELLWOOD KARSTEN BOULEVARD PHASE 4 STREET DEDICATION	0.00 AC.
ELLWOOD RECREATION RESERVE	1.77 AC.
ELLWOOD SECTION 1A (10 LOTS)	0.51 AC.
ELLWOOD SECTION 1B (82 LOTS)	0.37 AC.
ELLWOOD SECTION 2 (26 LOTS)	0.47 AC.
ELLWOOD SECTION 3A (36 LOTS)	0.42 AC.
ELLWOOD SECTION 3B (39 LOTS)	0.00 AC.
ELLWOOD SECTION 4A (69 LOTS)	0.00 AC.
<b>TOTAL</b>	<b>9.21 AC.</b>
<b>TOTAL REQUIRED 1/54 AC. PER LOT AT 264 LOTS</b>	<b>4.89 AC.</b>

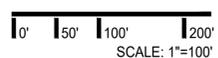
1) PARKLAND IN DETENTION RESERVES IS CALCULATED AT 50% OF THE AREA OF THE MAINTENANCE BERM. IF MAINTENANCE BERM INCLUDES TRAILS, IS AN AVERAGE MINIMUM WIDTH OF 30' AND A MINIMUM WIDTH OF 20'. AND HAS SIDE SLOPES THAT DO NOT EXCEED A 5:1 RATIO.  
2) ALL OTHER PARKLAND IS CALCULATED AS THE TOTAL OF RESERVES WITH A "RECREATION" RESTRICTION.



**OWNER CONTACT INFORMATION**  
 KLLB AIV LLC, A DELAWARE LIMITED LIABILITY COMPANY  
 6900 E. CAMELBACK ROAD, SUITE 800  
 SCOTTSDALE, AZ 85251  
 786-753-8110

**BENCHMARK(S):**

NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, 5-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.  
 ELEV=52.00 (NAVD '88) 1991 ADJUSTMENT



**Ellwood Detention Reserve "E" Phase 2 Preliminary Plat**  
 Being a subdivision of 14.12 acres out of the W. H. Dennis Survey, A-512, also being out of the Emigration Land Company Subdivision, in the City of Iowa Colony, Brazoria County, Texas.

1 Block and 2 Reserves  
 Owner: KLLB AIV, LLC, a Texas Limited Partnership

January 7, 2026

**EHRA**  
 ENGINEERING THE FUTURE SINCE 1936  
 10011 MEADOWGLEN LANE  
 HOUSTON, TEXAS 77042  
 713.784.4500  
 WWW.EHRATEAM.COM  
 TBPE No. F-726  
 TBPLS No. 10092300

EHRA JOB NO. 221-022-202  
 No warranty or representation of intended use, design or proposed improvements are made herein. All Plans for land or facilities are subject to change without notice.

Monday, January 12, 2026

Kayla Leal  
LJA Engineering  
3600 W. Sam Houston Pkwy S, Ste. 600  
Houston, TX 77042  
[kleal@lja.com](mailto:kleal@lja.com)

Re: Coogan Tract General Plan  
Letter of Recommendation to Approve  
COIC Project No. 7478  
Adico, LLC Project No. 710-25-002-062

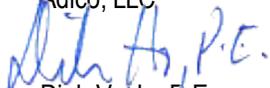
Dear Ms. Leal:

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the second submittal of Coogan Tract General Plan, received on or about January 16, 2026. The review of the general is based on the City of Iowa Colony Subdivision Ordinance dated August 2002, and as amended.

Based on our review, we have no objection to the preliminary plat as resubmitted on January 16, 2026. Please provide ten (10) prints of the plat to Kayleen Rosser, City Secretary, by no later than Tuesday, January 27, 2026, for consideration at the February 3, 2026, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to call our office.

Sincerely,  
Adico, LLC



Dinh V. Ho, P.E.  
TBPE Firm No. 16423

Cc: Rachel Patterson  
Kayleen Rosser  
File: 710-25-002-062

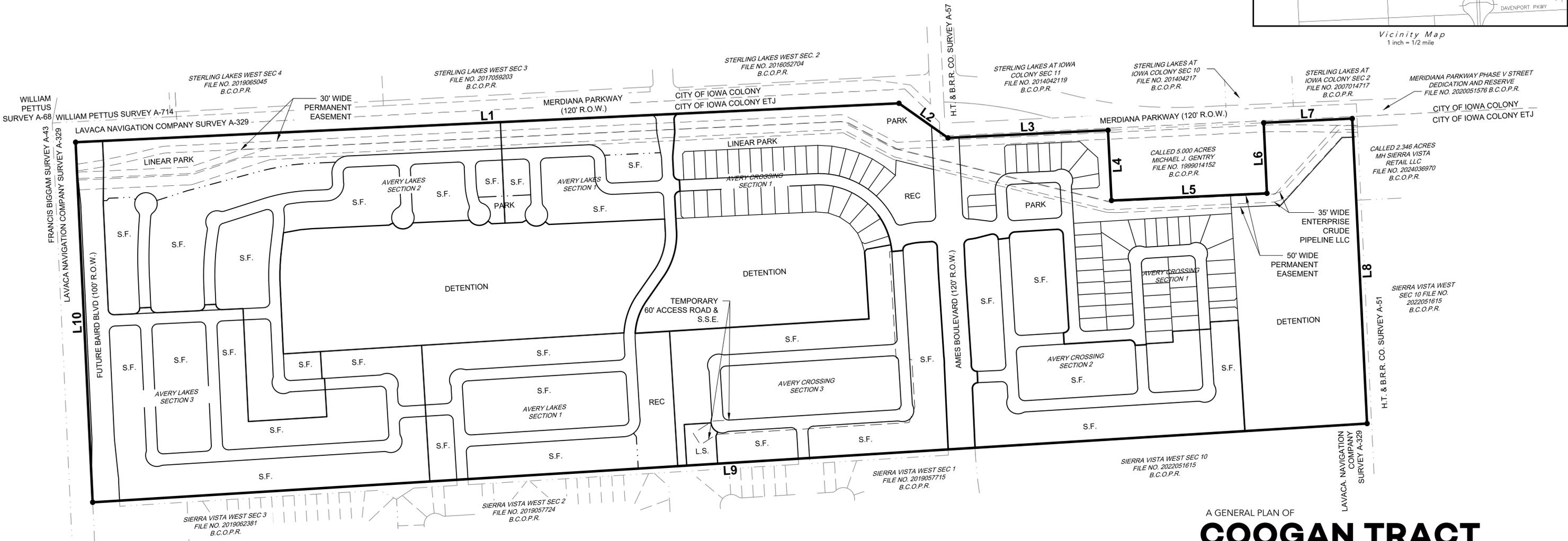
GENERAL NOTES:

1. THIS PLAT IS SUBJECT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF IOWA COLONY AND ALLED DEVELOPMENT DATE JANUARY 14, 2026 AND APPROVED BY CITY COUNCIL ON DECEMBER 15, 2025.
2. PER THE ADOPTED COOGAN TRACT PUD, THE DEVELOPMENT IS ELIGIBLE TO RECEIVE UP TO A 50% PARKLAND CREDIT FOR IMPROVEMENTS TO WET DETENTION FACILITIES.

LINE	BEARING	DISTANCE
L1	N 87°18'07" E	3672'
L2	S 54°53'13" E	267'
L3	N 87°16'38" E	714'
L4	S 02°50'47" E	312'
L5	N 87°21'08" E	693'
L6	N 02°37'11" W	313'
L7	N 87°16'38" E	395'
L8	S 02°47'51" E	1355'
L9	S 86°28'51" W	5688'
L10	N 02°43'18" W	1599'



Vicinity Map  
1 inch = 1/2 mile



A GENERAL PLAN OF  
**COOGAN TRACT**  
 ±189.7 ACRES  
 APPROXIMATELY 515 LOTS  
 OUT OF THE  
 LAVACA NAVIGATION COMPANY SURVEY, A-329  
 IOWA COLONY ETJ, TEXAS  
 OWNER:  
 ALLIED DEVELOPMENT

PLANNER:  
**LJA** **PLANNING & LANDSCAPE ARCHITECTURE**

3600 W Sam Houston Pkwy S, Suite 600  
 Houston, Texas 77042  
 713.953.5200



DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY GENERAL PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF IOWA COLONY ORDINANCES GOVERNING LAND PLATTING IN EFFECT AT THE TIME THIS GENERAL PLAN WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE IOWA COLONY PLANNING COMMISSION. THIS GENERAL PLAN WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER LJA ENGINEERING, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL CONSTRUCTION, SAFETY OR SUITABILITY TO THE PURPOSES INTENDED, OR ANY UTILITIES OR OTHER FACILITIES IN, ON, OVER OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT. ANY DRY UTILITIES SHOWN ON THIS PLAT (POWER, GAS, TELEPHONE, CABLE, ETC.) HAVE NOT BEEN DESIGNED, REVIEWED NOR APPROVED BY ANY DRY UTILITY PROVIDER. ANY DRY UTILITY ONE-LINES SHOWN ON THIS PLAT ARE CONCEPTUAL AND BASED SOLELY ON THE LOCATION OF THE PROPOSED DRY UTILITY EASEMENTS LOCATED IN THE LOTS.

Wednesday, February 18, 2026

Kayla Leal  
LJA Engineering  
3600 W. Sam Houston Pkwy S, Ste. 600  
Houston, TX 77042  
[kleal@lja.com](mailto:kleal@lja.com)

Re: Avery Crossing Section 1 Preliminary Plat  
Letter of Recommendation to Approve with Conditions-Updated  
COIC Project No. 6789  
Adico, LLC Project No. 710-25-002-057

Dear Ms. Leal:

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the second submittal of Avery Crossing Section 1 Preliminary Plat, received on or about January 16, 2026. The review of the plat is based on the City of Iowa Colony Subdivision Ordinance dated August 2002, and as amended.

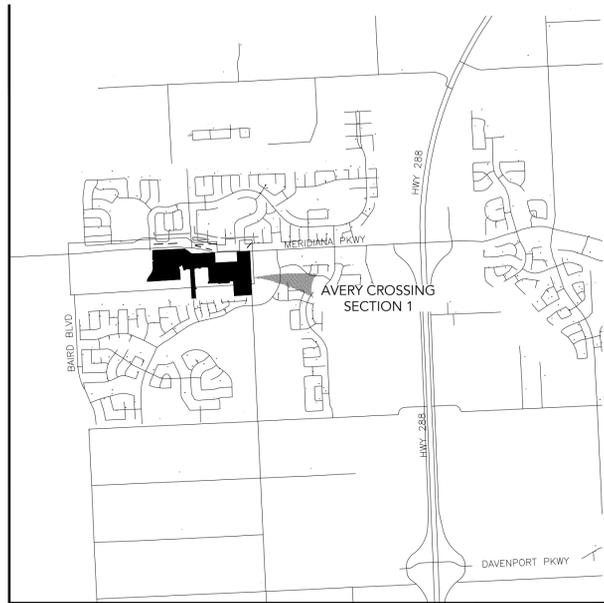
Based on our review, we have no objection to the preliminary plat, subject to the condition that a secondary access point be provided. Please provide ten (10) folded copies of the plat Kayleen Rosser, City Secretary, by no later than Tuesday, January 27, 2026, for consideration at the February 3, 2026, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to call our office.

Sincerely,

  
Adico, LLC  
Dinh V. Ho, P.E.  
TBPE Firm No. 16423

Cc: Rachel Patterson  
Kayleen Rosser  
File: 710-25-002-057



Vicinity Map  
1 inch = 1/2 mile

RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	5.209	226,924	RESTRICTED TO LANDSCAPE / OPEN SPACE / PARK / UTILITIES
B	1.215	52,937	RESTRICTED TO REC CENTER
C	3.624	157,850	RESTRICTED TO LANDSCAPE / OPEN SPACE / PARK / UTILITIES
D	0.871	37,921	RESTRICTED TO LANDSCAPE / OPEN SPACE / PARK / UTILITIES
E	2.288	99,681	RESTRICTED TO LANDSCAPE / OPEN SPACE / UTILITIES
F	13.791	600,723	RESTRICTED TO LANDSCAPE / OPEN SPACE / DETENTION
G	0.088	3,850	RESTRICTED TO DRAINAGE
H	0.093	4,050	RESTRICTED TO DRAINAGE
I	10.133	441,411	RESTRICTED TO LANDSCAPE / OPEN SPACE / DETENTION
J	0.066	2,891	RESTRICTED TO LANDSCAPE / OPEN SPACE
K	0.570	24,833	RESTRICTED TO LANDSCAPE / OPEN SPACE / LIFT STATION
TOTAL	37.379	1,628,238	

LINE TABLE		LINE TABLE		CURVE TABLE								
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	CURVE	RADIUS	DELTA	ARC	CHORD	BEARING	CHORD
L1	N 87°18'07" E	979.07'	L27	S 02°35'21" E	50.00'	C1	25.00'	90°00'00"	39.27'	N 48°31'09" W	35.36'	
L2	S 54°53'13" E	266.84'	L28	S 02°35'21" E	263.07'	C2	25.00'	90°00'00"	39.27'	N 41°28'51" E	35.36'	
L3	N 87°16'38" E	713.67'	L29	S 86°28'51" W	120.02'	C3	25.00'	90°00'00"	39.27'	N 48°31'09" W	35.36'	
L4	S 02°50'47" E	312.13'	L30	N 02°35'21" W	379.65'	C4	25.00'	90°00'00"	39.27'	S 41°28'51" W	35.36'	
L5	N 87°21'08" E	693.26'	L31	N 03°46'04" W	357.99'	C5	25.00'	100°43'46"	43.95'	N 53°53'02" W	38.51'	
L6	N 02°37'11" W	313.04'	L32	N 02°43'18" W	103.97'	C6	150.00'	10°12'09"	26.71'	S 80°51'09" W	26.67'	
L7	N 87°16'38" E	394.61'	L33	S 86°28'51" W	45.08'	C7	25.00'	88°40'32"	38.69'	S 41°36'58" W	34.94'	
L8	S 02°47'51" E	1,354.77'	L34	S 74°48'05" W	1.65'	C8	1,440.00'	1°02'46"	26.29'	S 03°14'41" E	26.29'	
L9	S 86°28'51" W	545.01'	L35	S 84°52'49" W	50.00'	C9	1,560.00'	1°10'42"	32.09'	S 03°10'42" E	32.09'	
L10	N 03°31'08" W	493.05'	L36	S 79°31'38" W	109.55'	C10	25.00'	90°00'00"	39.27'	S 47°35'21" E	35.36'	
L11	S 86°28'51" W	125.00'	L37	S 37°27'15" W	14.85'	C11	25.00'	90°00'00"	39.27'	S 42°24'39" W	35.36'	
L12	S 03°31'09" E	31.55'	L38	S 04°33'56" E	47.58'	C12	1,440.00'	1°10'42"	29.62'	N 03°10'42" W	29.62'	
L13	S 86°28'51" W	170.00'	L39	S 03°31'09" E	250.00'	C13	1,560.00'	1°02'46"	28.48'	N 03°14'41" W	28.48'	
L14	S 03°31'09" E	47.50'	L40	S 86°28'51" W	1,043.06'	C14	25.00'	90°47'51"	39.62'	N 48°07'13" W	35.60'	
L15	S 86°28'51" W	120.00'	L41	N 34°58'40" E	133.33'	C15	305.00'	11°40'46"	62.17'	S 80°38'28" W	62.06'	
L16	S 03°31'09" E	4.00'	L42	N 02°58'36" W	149.59'	C16	25.00'	79°55'17"	34.87'	S 34°50'27" W	32.11'	
L17	S 86°28'51" W	50.00'	L43	N 03°17'37" W	50.00'	C17	325.00'	52°11'11"	30.36'	N 07°47'47" W	30.35'	
L18	S 86°28'51" W	290.00'	L44	N 02°58'36" W	68.64'	C18	275.00'	31°44'12"	152.33'	N 19°06'34" E	150.39'	
L19	N 03°31'09" W	50.00'	L45	N 04°45'30" E	91.16'	C19	325.00'	37°57'17"	215.29'	N 16°00'02" E	211.38'	
L20	N 03°31'09" W	410.00'	L46	N 02°58'36" W	44.42'	C20	25.00'	90°19'01"	39.41'	N 42°10'54" E	35.45'	
L21	S 86°28'51" W	190.00'	L47	N 86°28'51" E	119.63'	C21	25.00'	89°40'59"	39.13'	N 47°49'06" W	35.26'	
L22	S 82°44'53" W	50.11'	L48	S 23°23'06" W	20.00'	C22	150.00'	7°44'07"	20.25'	N 00°53'27" E	20.24'	
L23	S 75°45'05" W	73.47'	L49	S 03°31'09" E	122.17'	C23	150.00'	7°44'07"	20.25'	N 00°53'27" E	20.24'	
L24	S 02°43'18" E	106.35'	L50	S 86°28'51" W	137.92'	C24	25.00'	90°16'44"	39.39'	N 42°09'45" E	35.44'	
L25	S 03°46'04" E	357.99'	L51	N 03°31'09" W	182.60'	C25	50.00'	60°48'43"	53.07'	S 36°12'33" E	50.61'	
L26	S 02°35'21" E	14.63'										

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF IOWA COLONY ORDINANCES GOVERNING LAND PLATTING IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE IOWA COLONY PLANNING COMMISSION. THIS PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER LJA ENGINEERING, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL CONSTRUCTION, SAFETY OR SUITABILITY TO THE PURPOSES INTENDED, OR ANY UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT. ANY DRY UTILITIES SHOWN ON THIS PLAT (POWER, GAS, TELEPHONE, CABLE, ETC.) HAVE NOT BEEN DESIGNED, REVIEWED NOR APPROVED BY ANY DRY UTILITY PROVIDER. ANY DRY UTILITY ONE-LINE SHOWN ON THIS PLAT ARE CONCEPTUAL AND BASED SOLELY ON THE LOCATION OF THE PROPOSED DRY UTILITY EASEMENTS LOCATED IN THE LOTS.

STERLING LAKES WEST SEC 3  
FILE NO. 2017059203  
B.C.O.P.R.

STERLING LAKES WEST SEC. 2  
FILE NO. 2016052704  
B.C.O.P.R.

STERLING LAKES AT IOWA COLONY SEC 11  
FILE NO. 2014042119  
B.C.O.P.R.

STERLING LAKES AT IOWA COLONY SEC 11  
FILE NO. 2014042119  
B.C.O.P.R.

P.O.B.  
X:3097423.08  
Y:13726223.28

30' WIDE ETC NGL TRANSPORT, LLC  
(ENERGY TRANSFER PIPELINE)  
PERMANENT EASEMENT  
FILE NO. 2012014768  
B.C.O.P.R.

LOCATION OF EASEMENT NOT FIELD VERIFIED  
BASED ON EASEMENT DOCUMENT ONLY

50' WIDE M2E3 LLC  
PERMANENT EASEMENT  
FILE NO. 2019036788  
B.C.O.P.R.

LOCATION OF EASEMENT NOT FIELD VERIFIED  
BASED ON EASEMENT DOCUMENT ONLY

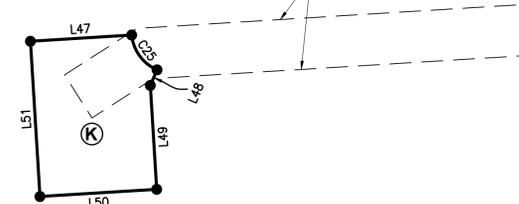
CALLED 5.0  
MICHAEL J.  
FILE NO 19.  
B.C.O.

AVERY LAKES FUTURE DEVELOPMENT

AVERY CROSSING FUTURE DEVELOPMENT

AVERY CROSSING FUTURE DEVELOPMENT

TEMPORARY 60' ACCESS ROAD AND S.S.E.



SIERRA VISTA WEST SEC 1  
FILE NO. 2019057715  
B.C.O.P.R.

SIERRA VISTA WEST SEC 10  
FILE NO. 2022051615  
B.C.O.P.R.

# A PRELIMINARY PLAT OF AVERY CROSSING SECTION 1

±60.0 ACRES  
84 LOTS (50'x60' x 120' TYP.) AND  
11 RESTRICTED RESERVES IN 4 BLOCKS

OUT OF THE  
LAVACA NAV CO, A-329  
IOWA COLONY ETJ, TEXAS

OWNER:  
ALLIED DEVELOPMENT

PLANNER:  
**LJA** PLANNING & LANDSCAPE ARCHITECTURE

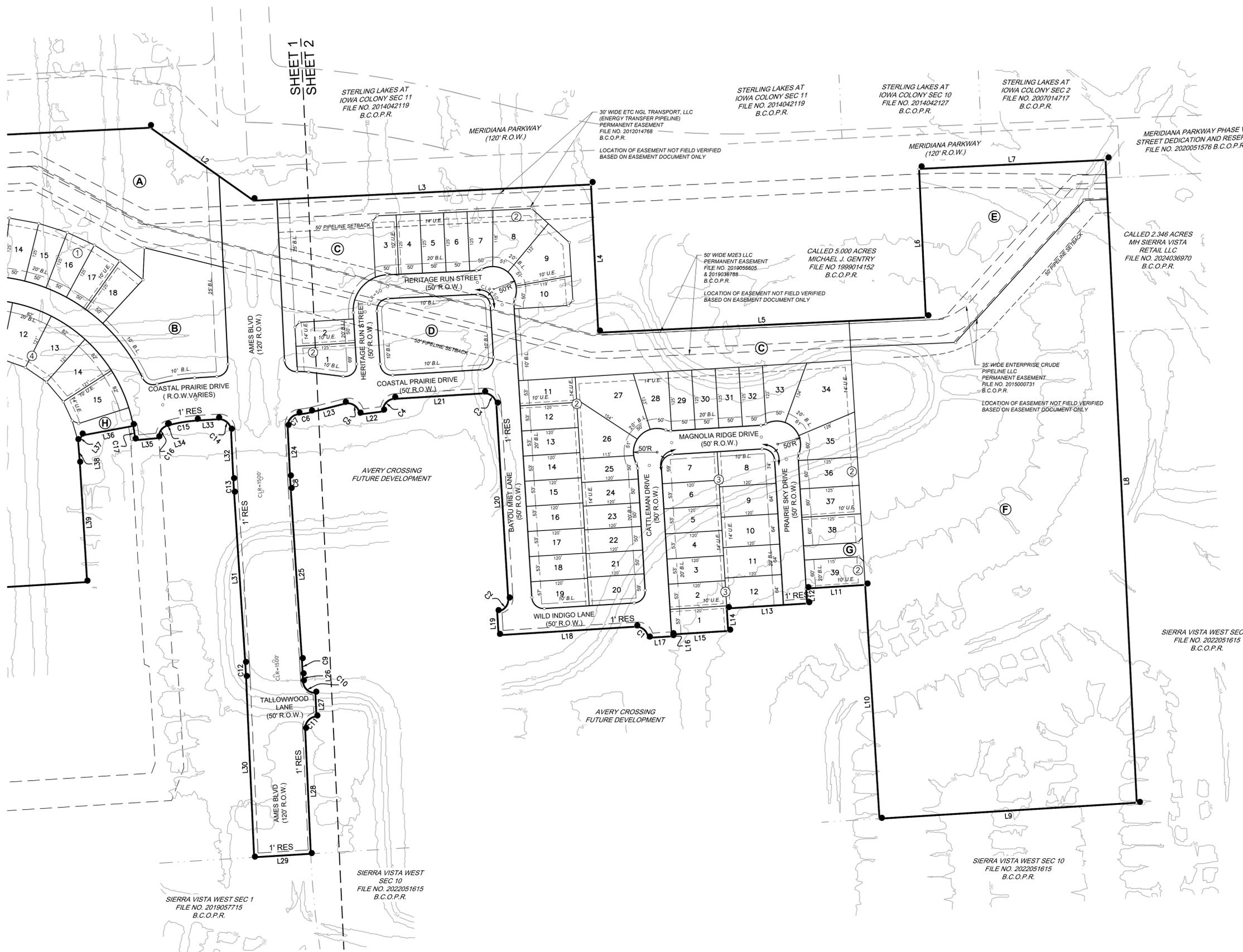
3600 W Sam Houston Pkwy S, Suite 600  
Houston, Texas 77042  
713.953.5200



LJA# 5522-1000  
PAGE 1 OF 2  
01.16.2026

GENERAL NOTES:

- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, BRAZORIA COUNTY, TEXAS, COMMUNITY PANEL NOS. 48039C105K & 48039C11K (DECEMBER 30, 2020) THE PROPERTY DOES NOT LIE WITHIN A FLOOD ZONE.
- THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THE LOCATION OF THE FLOOD ZONE WAS DETERMINED BY SCALING FROM SAID FEMA MAP. THE ACTUAL LOCATION, AS DETERMINED BY ELEVATION CONTOURS, MAY DIFFER.
- THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT LIES IN BRAZORIA COUNTY AND THE CITY OF IOWA COLONY, BRAZORIA COUNTY MUD 98, AND IOWA COLONY DRAINAGE DISTRICT.
- PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND OTHER OBSTRUCTIONS.
- THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
- THE APPROVAL OF THE PRELIMINARY PLAT SHALL EXPIRE TWELVE (12) MONTHS AFTER CITY COUNCIL APPROVAL UNLESS THE FINAL PLAT HAS BEEN SUBMITTED FOR FINAL APPROVAL DURING THAT TIME. AN EXTENSION OF TIME MAY BE GIVEN AT THE DISCRETION OF THE CITY COUNCIL FOR A SINGLE EXTENSION PERIOD OF SIX (6) MONTHS.
- DRAINAGE PLANS TO BE PROVIDED PRIOR TO FINAL PLAT SUBMITTAL.
- ONE FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR ENDS OF STREETS WHERE SUCH STREETS ADJACENT PROPERTY, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ADJACENT IS SUBDIVIDED OR RE-SUBDIVIDED IN A RECORD PLAT THE ONE FOOT RESERVE SHALL HEREOFOR BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS, OR SUCCESSORS.
- OWNERS DO HEREBY CERTIFY THAT THEY ARE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION OF (NAME AND SECTION) WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.
- ALL STREETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY'S DESIGN CRITERIA.
- ALL WATER AND WASTEWATER FACILITIES SHALL CONFORM TO THE CITY'S DESIGN CRITERIA.
- THIS PLAT IS SUBJECT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF IOWA COLONY AND ALLIED DEVELOPMENT DATED JANUARY 14, 2026 AND APPROVED BY CITY COUNCIL ON DECEMBER 15, 2025.



- LEGEND
- RES. INDICATES RESERVE
  - B.L. INDICATES BUILDING LINE
  - U.E. INDICATES UTILITY EASEMENT
  - B.C.O.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
  - R.O.W. INDICATES RIGHT-OF-WAY
  - DOC. NO. INDICATES DOCUMENT NUMBER
  - ↔ INDICATES STREETNAME CHANGE

A PRELIMINARY PLAT OF  
**AVERY CROSSING**  
SECTION 1

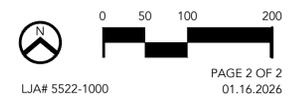
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ALLIED DEVELOPMENT

PLANNER:  
**LJA** **PLANNING & LANDSCAPE ARCHITECTURE**

3600 W Sam Houston Pkwy S, Suite 600  
Houston, Texas 77042  
713.953.5200



S:\Planning\01 Planning\5522-1000\06-Flat\Avery Crossing\_Section 1 Pre Plat\_01-16-26.dwg/2026-01-16/DWHITFIELD

DISCLAIMER AND LIMITED WARRANTY  
THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF IOWA COLONY ORDINANCES GOVERNING LAND PLATTING IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE IOWA COLONY PLANNING COMMISSION. THIS PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER LJA ENGINEERING, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL CONSTRUCTION, SAFETY OR SUITABILITY TO THE PURPOSES INTENDED, OR ANY UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT. ANY DRY UTILITIES SHOWN ON THIS PLAT (POWER, GAS, TELEPHONE, CABLE, ETC.) HAVE NOT BEEN DESIGNED, REVIEWED NOR APPROVED BY ANY DRY UTILITY PROVIDER. ANY DRY UTILITY ONE-LINES SHOWN ON THIS PLAT ARE CONCEPTUAL AND BASED SOLELY ON THE LOCATION OF THE PROPOSED DRY UTILITY EASEMENTS LOCATED IN THE LOTS.



## EXTENSION OF APPROVAL LETTER

VIA E-MAIL: [engineering@adico-llc.com](mailto:engineering@adico-llc.com)

DATE: January 6, 2026

TO: Loan Allen - Adico Consulting Engineers, LLC

FROM: EHRA/Jacey Neuberger  
Planner I – Planning & Visioning

### **EXTENSION OF APPROVAL LETTER: Meridiana Section 35B**

EHRA Engineering is requesting an extension of approval for the preliminary plat of Meridiana Section 35B. This plat was approved by Iowa Colony City Council on 3/10/2025 and will expire on 03/10/2026. Please include this item on the 2/16/2026 City Council agenda and allow an extension of approval of six months.

See the attached preliminary plat of Meridiana Section 35B for your reference and let me know if you require anything further to facilitate this request (six months).

Regards,

Jacey Neuberger,  
Planner I – Planning & Visioning  
EHRA

Monday, February 24, 2025

Michael Turzillo  
EHRA Engineering  
10011 Meadowglen Lane  
Houston, TX 77042  
[mturzillo@ehra.team](mailto:mturzillo@ehra.team)

Re: Meridiana Section 35B Preliminary Plat  
Letter of Recommendation to Approve  
COIC Project No. 5668  
Adico, LLC Project No. 710-25-002-002

Dear Mr. Turzillo:

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the resubmittal of Meridiana Section 35B Preliminary Plat received on or about February 19, 2025. The review of the plat is based on the City of Iowa Colony Subdivision Ordinance dated August 2002, and as amended.

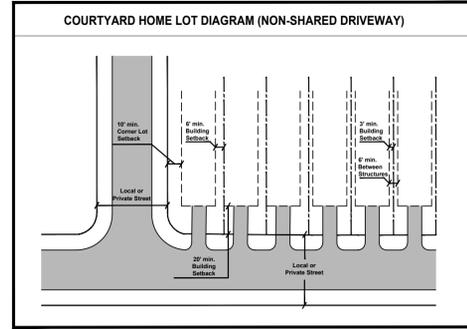
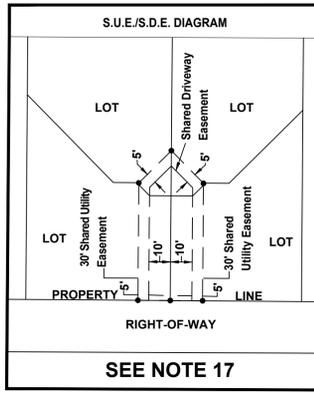
Based on our review, we have no objection to the preliminary plat as resubmitted on February 19, 2025. Please provide ten (10) prints of the plat to Kayleen Rosser, City Secretary, by no later than February 25, 2025, for consideration at the March 4, 2025, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to call our office.

Sincerely,  
Adico, LLC

  
Dinh V. Ho, P.E.  
TBPE Firm No. 16423

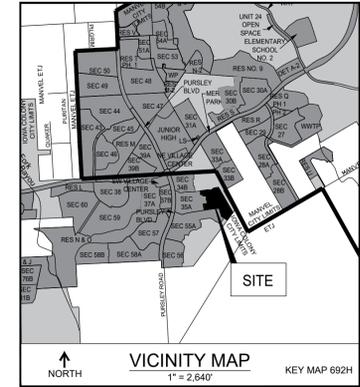
Cc: Kayleen Rosser, COIC  
Robert Hemminger, COIC  
File: 710-25-002-002



CURVE TABLE with columns: CURVE, RADIUS, ARC LENGTH, CHORD BEARING, CHORD LENGTH. Includes curve C1.

OFF-STREET GUEST PARKING SPACES table with columns: NO. OF PROPOSED LOTS, NO. OF GUEST SPACES REQUIRED, NO. OF GUEST SPACES PROVIDED WITHIN R.O.W., NO. OF GUEST SPACES PROVIDED OUTSIDE R.O.W.

LINE TABLE with columns: LINE, ANGLE, DISTANCE. Lists lines L1 through L16.



RESERVE TABLE with columns: RESERVE, RESTRICTIONS, SQ. FT., ACREAGE. Lists reserves A through J.

GENERAL NOTES:

- 1. Bearing orientation is based on the Texas State Plane Coordinate System of 1983...
2. The Coordinates shown hereon are Texas South Central Zone No. 4204 state plane grid coordinates...
3. According to the Federal Emergency Management Agency Flood Insurance Rate Map...
4. A.E. indicates Aerial Easement...
5. The property subdivided in the foregoing plat lies in Brazoria County...
6. Property within the boundaries of this plat and adjacent to any drainage easement...
7. The Developer, Home Owners Association, or Municipal Utility District shall be responsible...
8. Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon...
9. Preliminary, this document shall not be recorded for any purpose and shall not be used...
10. The approval of the preliminary plat shall expire twelve (12) months after City Council...
11. Owners do hereby certify that they are the owners of all property immediately adjacent...
12. This plat is subject to the Development Agreement for Meridiana PUD Amendment No. 4...
13. All front lot maintenance within this section shall be performed by the Homeowners...
14. A courtyard home that utilizes a shared driveway and has frontage on a public street...
15. If lots do not utilize a shared driveway, lots may have a zero (0) foot side setback...
16. All courtyard home lots shall take access with shared driveways and not public R.O.W.
17. Block 1, Lots 1-16 are subject to a shared utility easement/shared driveway easements...

OWNER CONTACT INFORMATION
GR-M1, LTD., A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, STE. 100
KATY, TX 77493
832-916-2162

BENCHMARK(S):

NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL...
33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE...
ELEV = 52.00 (NAVD '88) 1991 ADJUSTMENT



Meridiana Section 35B A Subdivision of 13.23 acres out of the H.T. & B. R.R. Co. Survey, Section 54, A-514, City of Iowa Colony and City of Alvin Brazoria County, Texas.
84 Lots, 2 Blocks and 10 Reserves
Owner: GR-M1, LTD., a Texas Limited Partnership



February 19, 2025

Wednesday, February 4, 2026

Mayor Wil Kennedy  
City Council  
City of Iowa Colony  
12003 Iowa Colony Blvd.  
Iowa Colony, TX 77553

Re: Detention and Grading Phase 3 to serve Caldwell Lakes and Brazoria County Municipal Utility District No. 87  
Recommendation for Acceptance into One Year Maintenance Period  
City of Iowa Colony Project No. Iworq 3547  
Adico, LLC Project No. 16007-4-497

Dear Mayor Kennedy and City Council:

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of Detention and Grading Phase 3 to serve Caldwell Lakes and Brazoria County Municipal Utility District No. 87. The final inspection was held October 9, 2025, and all punch list items complete on February 2, 2026.

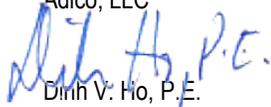
Based on our review of the closeout documents provided, Adico, LLC recommends acceptance of Detention and Grading Phase 3 to serve Caldwell Lakes and Brazoria County Municipal Utility District No. 87 into the One-Year Maintenance Period. The maintenance period shall be effective February 16, 2026, if approved by City Council.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the One-Year Maintenance acceptance package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond
3. As-Builts (cover only)

Should you have any questions, please do not hesitate to call our office.

Sincerely,  
Adico, LLC

  
Dinh V. Ho, P.E.  
TBPE Firm No. 16423

Cc: Kayleen Rosser  
File: 16007-4-497

CERTIFICATION OF INFRASTRUCTURE FOR:

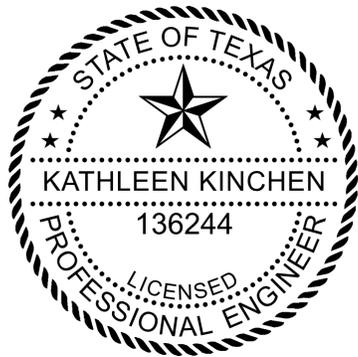
Brazoria County MUD No. 87 Detention & Grading Phase 3

(Project Name)

I, Kathleen Kinchen

(Name of Licensed Engineer)

a Licensed Professional Engineer in the State of Texas , do hereby certify that all the paving, drainage, sanitary and water infrastructure has been built in compliance with the City of Iowa Colony Engineering Design and Criteria Manual the Engineer of Records Construction Documents. In addition, the infrastructure meets the required specifications based on our field investigation, inspections and evaluation of and approval of testing of infrastructure.



Kathleen Kinchen

Engineer's Signature

LJA Engineering, Inc.

Licensed Engineering Firm Name

1904 W. Grand Parkway N, Suite 100

Address

Katy, TX 77449

City, State and Zip Code

713-358-8816

Phone No.

**CITY OF IOWA COLONY  
MAINTENANCE BOND**

1. The following terms shall have the following meanings in this document:

a. Bond Number: 30209006

b. Principal: Longhorn Excavators, Inc.

c. Surety:

Name: Continental Casualty Company

State Where Surety is Incorporated: Illinois

d. Obligee(s): Brazoria County Municipal Utility District No. 87; and the City of Iowa Colony, Texas (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Obligee, so leave this line blank.)

If there is more than one Obligee, then the terms "Obligee" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

e. Contract: The Contract described as follows:

Date: \_\_\_\_\_

Parties: Principal and D. R. Horton - Texas, Ltd. on behalf of Brazoria County Municipal Utility District No. 87

Subdivision involved: \_\_\_\_\_

General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.): Detention and Grading

\_\_\_\_\_

This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

f. Bond Amount: \$Seven Million Eight Hundred Ninety-Eight Thousand Three Hundred Thirty-Five and 02/100 Dollars (\$7,898,335.02)

g. Maintenance Period:

Starting Date of Maintenance Period: \_\_\_\_\_

(Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

Ending Date of Maintenance Period: one year after the Starting Date

h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.

2. Principal has entered into the Contract.

3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Obligee, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.

- 4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligee any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.
- 5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.
- 6. If there is more than Obligee under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

DATED: December 16, 2025

SURETY:

By: *Hannah Montagne*  
Signature

Hannah Montagne  
Print or Type Signer's Name

Attorney-In-Fact  
Signer's Title

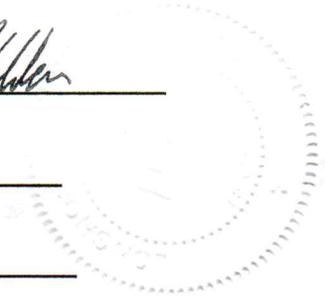
PRINCIPAL:

By: *Josh Holden*  
Signature

Joshua Holden  
Print or Type Signer's Name

CEO  
Signer's Title

**ATTACH POWER OF ATTORNEY**



POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Item 30.

Know All Men By These Presents, That Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company (herein called "the CNA Companies"), are duly organized and existing insurance companies having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signatures and seals herein affixed hereby make, constitute and appoint

Philip Wayne Baker, Edward Donald Arens, Michele Marie Bonnin, Jillian O'Neal, Hannah Montagne, Erica Anne Cox, Samantha Olson, Individually

of The Woodlands, TX, their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their insurance companies and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Laws and Resolutions, printed below, duly adopted, as indicated, by the Boards of Directors of the insurance companies.

In Witness Whereof, the CNA Companies have caused these presents to be signed by their Vice President and their corporate seals to be hereto affixed on this 4th day of April, 2025.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

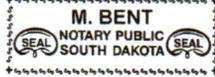
Larry Kasten Vice President (Signature)

State of South Dakota, County of Minnehaha, ss:

On this 4th day of April, 2025, before me personally came Larry Kasten to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company described in and which executed the above instrument; that he knows the seals of said insurance companies; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said insurance companies and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance companies.

My commission expires

March 2, 2026



M. Bent Notary Public (Signature)

CERTIFICATE

I, Paula Kolsrud, Assistant Secretary of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Laws and Resolutions of the Board of Directors of the insurance companies printed below are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance companies this 16th day of December, 2025.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

Paula Kolsrud Assistant Secretary (Signature)

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF EACH OF CONTINENTAL CASUALTY COMPANY, NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, and AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA (as defined above, the "CNA Companies"):

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of each of the above CNA Companies at a meeting held on May 12, 1995:

"RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of each of the CNA Companies.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of each of the above Companies by unanimous written consent dated the 25th day of April, 2012:

"Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of each of the above CNA Companies by unanimous written consent dated the day of :

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

Go to www.cnasurety.com > Owner / Oblige Services > Validate Bond Coverage, if you want to verify bond authenticity.

Figure: 28 TAC §1.601(a)(2)(B)

### Have a complaint or need help?

If you have a problem with a claim or your premium, call your insurance company or HMO first. If you can't work out the issue, the Texas Department of Insurance may be able to help.

Even if you file a complaint with the Texas Department of Insurance, you should also file a complaint or appeal through your insurance company or HMO. If you don't, you may lose your right to appeal.

### **Continental Casualty Company, National Fire Insurance Company of Hartford, American Casualty Company of Reading, PA and Continental Insurance Company**

To get information or file a complaint with your insurance company or HMO:

Call: Customer Service at **1-312-822-5000**

Toll-free: **1-877-672-6115**

Email: [legclm@cnasurety.com](mailto:legclm@cnasurety.com)

Mail: CNA Surety, 151 North Franklin, 17<sup>th</sup> Floor, Chicago, IL 60606

The Texas Department of Insurance

To get help with an insurance question or file a complaint with the state:

Call with a question: 1-800-252-3439

File a complaint: [www.tdi.texas.gov](http://www.tdi.texas.gov)

Email: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

Mail: Consumer Protection, MC: CO-CP, Texas Department of Insurance, P.O. Box 12030, Austin, TX 78711-2030

### Tiene una queja o necesita ayuda?

Si tiene un problema con una reclamación o con su prima de seguro, llame primero a su compañía de seguros o HMO. Si no puede resolver el problema, es posible que el Departamento de Seguros de Texas (Texas Department of Insurance, por su nombre en inglés) pueda ayudar.

Aun si usted presenta una queja ante el Departamento de Seguros de Texas, también debe presentar una queja a través del proceso de quejas o de apelaciones de su compañía de seguros o HMO. Si no lo hace, podría perder su derecho para apelar.

### **Continental Casualty Company, National Fire Insurance Company of Hartford, American Casualty Company of Reading, PA and Continental Insurance Company**

Para obtener información o para presentar una queja ante su compañía de seguros o HMO:

Llame a: Servicio al Cliente al **1-312-822-5000**

Teléfono gratuito: **1-877-672-6115**

Correo electrónico: [legclm@cnasurety.com](mailto:legclm@cnasurety.com)

Dirección postal: CNA Surety, 151 North Franklin, 17<sup>th</sup> Floor, Chicago, IL 60606

El Departamento de Seguros de Texas

Para obtener ayuda con una pregunta relacionada con los seguros o para presentar una queja ante el estado:

Llame con sus preguntas al: 1-800-252-3439

Presente una queja en: [www.tdi.texas.gov](http://www.tdi.texas.gov)

Correo electrónico: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

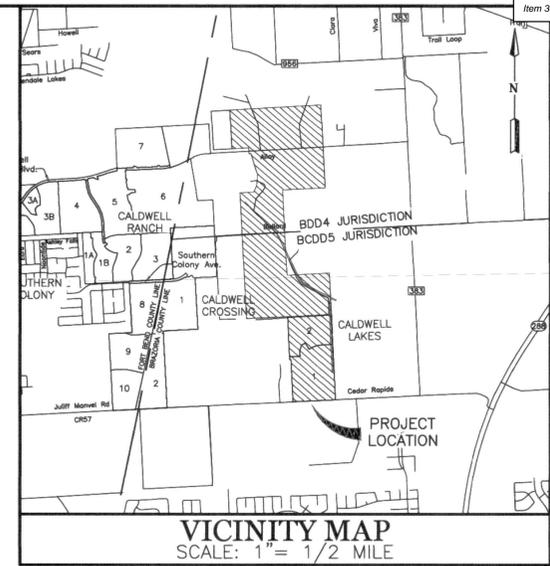
Dirección postal: Consumer Protection, MC: CO-CP, Texas Department of Insurance, P.O. Box 12030, Austin, TX 78711-2030

# CONSTRUCTION PLANS FOR DETENTION & GRADING PHASE 3

## TO SERVE

# CALDWELL LAKES AND BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 87

## CITY OF IOWA COLONY, BRAZORIA COUNTY, TEXAS



VICINITY MAP  
SCALE: 1" = 1/2 MILE  
BRAZORIA COUNTY  
KEY MAP NO. 651V&Z & 691D & 692A

JOB NO. 1931-8111

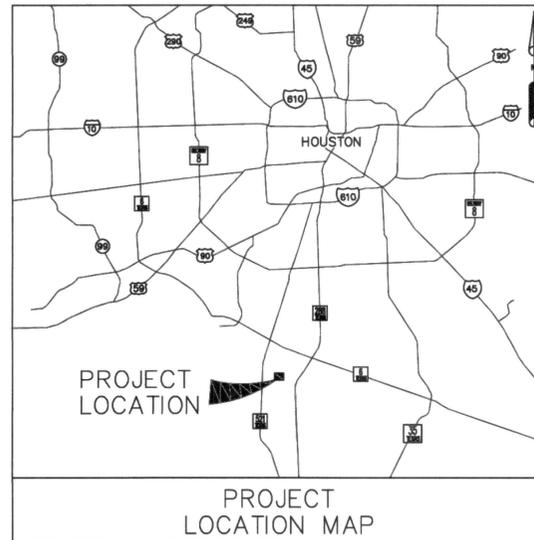
DATE: October, 2023

### NOTES

- THESE PLANS WERE PREPARED TO MEET OR EXCEED CITY OF IOWA COLONY AND BRAZORIA DRAINAGE DISTRICT NO. 4 & 5 DESIGN STANDARDS AS CURRENTLY AMENDED.
- CONSTRUCTION WILL BE MONITORED BY A PROFESSIONAL ENGINEER TO INSURE COMPLIANCE WITH THE CONSTRUCTION PLANS AND SPECIFICATIONS.
- CONTRACTOR SHALL NOTIFY THE FOLLOWING ENTITIES AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION  
CITY OF IOWA COLONY ENGINEERING DEPARTMENT c/o ADICO, LLC (832) 895-1093 (DINH@ADICO-LLC.COM) OR (INSPECTIONS@ADICO-LLC.COM)
- ONLY AUTHORIZED INDIVIDUALS FROM EITHER THE TESTING COMPANY OR A REPRESENTATIVE OF LJA ENGINEERING, INC. HAVE THE AUTHORITY TO ADD WATER TO A CONCRETE TRUCK
- CONTRACTOR SHALL CONTACT ANY PERTINENT UTILITY COMPANIES AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF EXCAVATION OR CONSTRUCTION IN THE VICINITY OF THEIR EASEMENTS AND/OR RIGHT-OF-WAYS
- THE OPENING AND CLOSING OF ALL VALVES ON EXISTING WATER LINES MUST BE PERFORMED EXCLUSIVELY BY THE DISTRICT OPERATOR
- THE DISTRICT OPERATOR MUST PERFORM ALL WATER LINE BACTERIOLOGICAL TESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE DISTRICT
- PRIOR TO CONSTRUCTION OF THIS FACILITY WITHIN OR BY THE DISTRICT, THE DISTRICT OR THE ENGINEER WILL GIVE A WRITTEN NOTICE BY REGISTERED OR CERTIFIED MAIL TO THE CITY ENGINEER OF THE CITY OF IOWA COLONY STATING THE DATE SUCH CONSTRUCTION WILL COMMENCE.

CONTRACTOR SHALL NOTIFY BRAZORIA DRAINAGE DISTRICT NO. 4 AT LEAST FORTY-EIGHT (48) HOURS BEFORE PLACING ANY CONCRETE FOR DRAINAGE STRUCTURES. FAILURE TO PROPERLY COORDINATE AN ON-SITE INSPECTION BEFORE CONCRETE IS Poured WILL CAUSE PORTIONS OF THE CONCRETE TO BE BROKEN OUT AT THE APPLICANT'S EXPENSE IN ORDER TO PROVE TO THE DISTRICT'S INSPECTOR THAT CONSTRUCTION COMPLIES WITH DISTRICT RULES, REGULATIONS & GUIDELINES

Notify Brazoria Drainage District No. 5 at least forty-eight (48) hours before placing any concrete for drainage structures. Failure to properly coordinate an on-site inspection before concrete is poured will cause portions of the concrete to be broken out at the applicant's expense in order to prove to the DISTRICT'S inspector that construction complies with DISTRICT Rules, Regulations & Guidelines.



### Commissioner's signature for final approval:

APPROVED BY BRAZORIA COUNTY DRAINAGE DISTRICT # 5

<i>Lee Walden</i> 11/6/23 Lee Walden, P.E. President	Date	<i>Kerry Osburn</i> 11/6/23 Kerry Osburn Vice President	Date
<i>Brandon Middleton</i> 11/6/23 Brandon Middleton Secretary/Treasurer	Date	<i>Nazar Sabti</i> 11/6/23 Nazar Sabti, P.E. District Engineer	Date

Note: Project field startup will start within 365 calendar days from date here shown. Continuous and reasonable field site work is expected.  
BDD5 Ref. ID #: B230063

CITY OF IOWA COLONY  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.

*Robert Heminger* 1/22/2024  
ROBERT HEMINGER, CITY MANAGER  
DATE

*Robert Heminger* 01/22/2024  
ROBERT HEMINGER, CITY ENGINEER  
DATE

CITY OF IOWA COLONY

NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

### SHEET INDEX

- COVER SHEET
- GENERAL CONSTRUCTION NOTES
- OVERALL LAYOUT SHEET 1 OF 2
- OVERALL LAYOUT SHEET 2 OF 2
- CLEARING AND GRUBBING LAYOUT SHEET 1 OF 2
- CLEARING AND GRUBBING LAYOUT SHEET 2 OF 2
- FILL PLAN LAYOUT SHEET 1 OF 2
- FILL PLAN LAYOUT SHEET 2 OF 2
- EROSION CONTROL PLAN LAYOUT SHEET 1 OF 2
- EROSION CONTROL PLAN LAYOUT SHEET 2 OF 2
- DETENTION AREA SERVICE MAP SHEET 1 OF 2
- DETENTION AREA SERVICE MAP SHEET 2 OF 2
- HORIZONTAL CONTROL LAYOUT LAKE A & B SHEET 1 OF 2
- HORIZONTAL CONTROL LAYOUT LAKE C & D SHEET 2 OF 2
- OUTFALLS FOR LAKE A & B & E-INLET FOR LAKE B & E-INLET FOR LAKE C & D

### DETAILS

- STORM SEWER DETAIL SHEET 1 OF 4
- STORM SEWER DETAIL SHEET 2 OF 4
- STORM SEWER DETAIL SHEET 3 OF 4
- STORM SEWER DETAIL SHEET 4 OF 4
- STORM WATER POLLUTION PREVENTION DETAILS SHEET 1 OF 2
- STORM WATER POLLUTION PREVENTION DETAILS SHEET 2 OF 2
- BDD4 STANDARD DETAILS SHEET 1 OF 3
- BDD4 STANDARD DETAILS SHEET 2 OF 3
- BDD4 STANDARD DETAILS SHEET 3 OF 3

THE SIGNATURES BELOW ARE EVIDENCE OF APPROVAL ONLY FOR THE PORTION OF THE PROPOSED PROJECT THAT IS WITHIN THE JURISDICTION OF BRAZORIA DRAINAGE DISTRICT NO. 4.

APPROVED BY THE BOARD OF COMMISSIONERS ON January 9, 2024

*Robert Heminger*  
Brazoria Drainage District No. 4  
District Engineer

The above have signed these plans and/or plat based on the recommendation of the DISTRICT'S Engineer who has reviewed all sheets provided and found them to be in general compliance with the DISTRICT'S "Rules, Regulations, and Guidelines". This approval is only valid for three hundred sixty-five (365) calendar days. After that time re-approval is required. Please note, this does not necessarily mean that all the calculations provided in these plans and/or plats have been completely checked and verified. In the event of any conflict or inconsistency between the DISTRICT'S "Rules, Regulations and Guidelines" and these approved drainage plans and/or plat, the DISTRICT'S "Rules, Regulations & Guidelines" shall govern and prevail. Any approved variances shall be itemized on the cover sheet and placed on the appropriate sheet where applicable. Plans submitted have been prepared, signed and sealed by a Professional Engineer licensed to practice engineering in the State of Texas and plat has been signed and sealed by a Registered Professional Land Surveyor licensed to practice in the State of Texas, which conveys the engineer's and/or surveyor's responsibility and accountability.

BDD4 Ref. ID #: 23-000270

APPROVED BDD4 VARIANCES  
REF ID #: #22-000152  
DATE APPROVED: 07/12/2022

APPROVED BDD4 VARIANCES  
REF ID #: #22-000203  
DATE APPROVED: 10/04/2022  
DESCRIPTION: 3:1 SIDE SLOPES FOR GUN RANGE DITCH CROSSING.

THE APPROVALS FOR THIS FINAL DRAINAGE PLAN AS EVIDENCE BY THE SIGNATURES ABOVE ARE LIMITED TO THE PORTIONS OF THE PROJECT WHICH ARE WITHIN THE JURISDICTION OF BRAZORIA DRAINAGE DISTRICT NO. 4.

THE CONTRACTOR MUST OBTAIN A PERMIT FROM BRAZORIA DRAINAGE DISTRICT NO. 4 PRIOR TO THE START OF CONSTRUCTION OF ANY IMPROVEMENTS SHOWN ON AN APPROVED DRAINAGE PLAN. THE PERMIT APPLICATION FORM IS AVAILABLE ON THE DISTRICT WEBSITE OR IN PERSON AT THE DISTRICT OFFICE.

THE MASTER DEVELOPMENT PLAN (REF ID# 23-000297) FOR THE OVERALL DEVELOPMENT TITLES CALDWELL LAKES WAS APPROVED BY THE DISTRICTS BOARD OF COMMISSIONERS ON 12/05/2023.

Drawn: 14 Dec 2023 11:11 AM  
Title: 14 Dec 2023 11:11 AM  
Sheet Name: 14 Dec 2023 11:11 AM

ONE-CALL NOTIFICATION SYSTEM  
CALL BEFORE YOU DIG!!!  
(713) 223-4567 (IN HOUSTON)  
(NEW STATEWIDE NUMBER OUTSIDE HOUSTON)  
1-800-545-6005

OWNER / DEVELOPER:  
**D.R. HORTON, TEXAS LTD.**  
JONATHAN WOODRUFF, ASSISTANT VICE PRESIDENT  
6744 HORTON VISTA DRIVE, SUITE 100  
RICHMOND, TEXAS 77407  
PHONE: (281) 566-2100



Plan/Plan approvals expire after 365 days

I HEREBY CERTIFY THAT THESE RECORD DRAWINGS SUBSTANTIALLY REPRESENT THE CONSTRUCTED CONDITION. THE PLANS WERE PREPARED AND THE CONSTRUCTION WAS PERFORMED IN SUBSTANTIAL COMPLIANCE WITH THE CONTRACT DOCUMENTS.

*Kathleen Kinchen* 01/10/2025  
KATHLEEN KINCHEN, P.E. 136244  
DATE

### RECORD DRAWING

I HEREBY CERTIFY THAT THIS DRAWING REFLECTS THE IMPROVEMENTS CONSTRUCTED AS TO SIZE, LOCATION, AND GRADE; AND THAT THE CONSTRUCTION WAS IN SUBSTANTIAL COMPLIANCE WITH THE CONTRACT DOCUMENTS.

CONTRACTOR: *[Signature]* DATE: 1/10/25  
TITLE: *VP*



APPROVED FOR CONSTRUCTION

BY *[Signature]* S.P. DATE 01/25/2024

ENGINEER:

**LJA Engineering, Inc.**

1904 W. Grand Parkway North  
Suite 100  
Katy, Texas 77449



Phone 713.953.5200  
Fax 713.953.5026  
FRN-F-1386

ENTION & GRADING PHASE 3 TO SERVE BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 87 - JOB NO. 1931-8111