

**YOLANDA FORD**  
Mayor

**VASHAUNDRA EDWARDS**  
Councilmember at Large Position No. 1

**CHRIS PRESTON**  
Mayor Pro Tem  
Councilmember at Large Position No. 2



**REGINALD PEARSON**  
Councilmember District A  
**JEFFREY L. BONEY**  
Councilmember District B  
**ANTHONY G. MAROULIS**  
Councilmember District C  
**FLOYD EMERY**  
Councilmember District D

## CITY COUNCIL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Monday, May 6, 2019**, at the City Hall, Council Chamber, 2<sup>nd</sup> Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **7:00 p.m.** to consider the following:

### 1. ROLL CALL

Mayor Ford called the meeting to order at 7:09 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, Boney, Maroulis and Emery; City Manager Snipes, First Assistant City Attorney Way, and City Secretary Jackson.

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

### 3. PRESENTATIONS AND RECOGNITIONS

Mayor Ford recognized the 2019 Professional Golfers' Association (PGA) Master Professional Richard Brown III. Mayor Ford proclaimed the week of May 5-11, 2019, as "Public Service Recognition Week" in the City of Missouri City, Texas; proclaimed the week of May 5-11, 2019, as "Hurricane Preparedness Week" in the City of Missouri City, Texas; and proclaimed the week of May 12-18, 2019, as "National Police Week" in the City of Missouri City, Texas.

### 4. PUBLIC COMMENTS

**Charles Potter**, spoke against and expressed his concerns regarding KIPP Academy.

**Regina Gardner**, spoke against and expressed her concerns regarding KIPP Academy.

**Tramaine Chatman**, spoke against and expressed her concerns regarding KIPP Academy.

### 5. STAFF REPORTS

City Manager Snipes stated a transparency document was released to the public recently as an overview of the City's efforts. He thanked the Parks and Recreation Department for a successful MCTX Fest event. He stated non-emergency City Hall offices would be closed from 11:30 a.m. to 1:00 p.m. on Wednesday, May 8 and from noon to 5:00 p.m. on Friday, May 10 in observance of Public Service Recognition Week. Snipes stated staff has shared tips during Hurricane Preparedness Week. He noted that Missouri City was named in the list of "Greenest Cities in Texas" by Just Energy. He asked everyone to mark their calendars for the upcoming events: Senior Casino Trip on May 7; Third Annual Mother's Day Cake Decorating event on May 11; Surface Water Treatment Plan Phase II Ground Breaking Ceremony on May 13, Tots Sorts on May 13; and, Family Fun Night Summer Kickoff party on May 17.

(b) Update regarding the City's check drafting process for the payment of City funds.

Director of Financial Services Portis presented an update regarding the City's check drafting process for the payment of City funds. Councilmember Boney asked for the reason the checks were being looked. Director Ports stated the concern was that former Mayor Owen's name were on the checks. City Manager Snipes

noted Mayor Ford had stated that a check was sent to her and that started the process. Councilmember Boney acknowledged that former Mayor Owen was the Mayor for over 20 years and the bank was notified, before the swearing in ceremony and that a change would be made.

## **6. CONSENT AGENDA**

- (a) Consider approving the minutes of the special and regular City Council meetings of April 15, 2019.
- (b) Consider accepting the quarterly investment report for the period ending on March 31, 2019.

Mayor Pro Tem Preston moved to pull item 6b for discussion.

Councilmember Maroulis moved to approve the Consent Agenda item 6a pursuant to recommendations by City Staff. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

Susan Anderson, Valley View, presented the quarterly report ending on March 31, 2019. Councilmember Emery noted that interest gained would go into the general fund to help fund City services. Councilmember Maroulis inquired on how far out do they start planning. Anderson stated they analyze cash outs and build a maturity ladder.

Councilmember Emery moved to approve the Consent Agenda item 6b pursuant to recommendations by City Staff. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

## **7. PUBLIC HEARINGS AND RELATED ACTIONS**

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

- (1) Consider an ordinance amending Specific Use Permit No. 65, authorizing the use of a 5.80-acre tract of land in the City of Missouri City as Specific Use Permit No. 65-Sewer facility; adding a 8.51-acre tract of land; authorizing a total 14.31-acre tract of land as Specific Use Permit No. 65-Sewer facility; describing said 14.31-acre tract of land; providing limitations, restrictions, and conditions on such specific use; amending the zoning district map of the City of Missouri City; providing a penalty; and containing other provisions relating to the subject; and consider the ordinance on the final reading. The subject site is located north of Thurgood Marshall High School/Buffalo Run Park, east of Echo Creek Drive, west of S. Cravens Road, and south of Highway 90A.

Councilmember Boney moved to adopt the ordinance with the correction for Section 5.II. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

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

- (1) Public hearing for or against an amendment to the drought contingency plan ordinance and consider the ordinance on the first of two readings.

Mayor Pro Tem Preston moved to open the public hearing at 8:03 p.m. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Utilities Manager McGraw stated that at the March 18, 2019, City Council meeting, Council amended and adopted the Drought Contingency Plan (DCP) to reflect recent updates made by the Gulf Coast Water Authority (GCWA) pertaining to curtailment and surcharges. The amendment was required by TCEQ rules and regulations and also staff proposed to aggregate the groundwater and surface water system under the same set of conservation measures, enforcement, and other details on how conservation would take place during times when GCWA declares a drought. The provision of this plan shall apply to all entities utilizing water provided by the City of Missouri City, including all members of the GRP Conservation during times of

insufficient rainfall allows the Supplier (GCWA) and the City to minimize the adverse impacts of water shortages and to further minimize the adverse impacts of emergency conditions. This would allow the City to protect and preserve public health, welfare and safety of our citizens. This would be the first of the two public hearings required to amend and adopt the City's Drought Contingency Plan (DCP).

Councilmember Boney moved to close the public hearing at 8:04 p.m. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Emery moved to adopt the ordinance. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

There were no **APPOINTMENTS.**

## **9. AUTHORIZATIONS**

- (a) Consider authorizing a professional services contract for Fire Station No. 6 design phase services.

Director of Public Works Kumar stated the project consisted of designing Fire Station No. 6, along with space evaluations for the Fire Administration and Public Service Headquarters for potential relocation of staff to the new Fire Station. In November 2018, Public Works along with the Purchasing Division, prepared and advertised a Request for Qualification (RFQ # 19-020). Notices were published in the local newspaper, the City's website and the State of Texas Electronic State Business Daily site. In accordance with what Council adopted as the 2013 Consultant Selection Policy, a Staff Selection Committee evaluated the submitted statement of qualifications from 22 firms for this project. The selection committee included representation from the Fire Department. Five (5) short listed firms were presented to the Planning, Development and Infrastructure (PDI) Committee on February 18, 2019. The Planning, Development and Infrastructure Committee authorized staff to conduct interviews with the five (5) short-listed firms. Based on these interviews, the Staff Selection Committee found Martinez Architects to be the most qualified firm for this particular project. The recommendations from the Staff Selection Committee were presented to the (PDI) committee on March 18, 2019. The PDI committee authorized staff to move forward to negotiate a professional services contract with Martinez Architects. Based on the scope of services required and the fees negotiated with Martinez Architects, the total contract amount would be \$541,250.00.

Mayor Pro Tem Preston moved to authorize a professional services contract for Fire Station No. 6 design phase services with Martinez Architects in the amount of \$541,250.00. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider awarding and authorizing the negotiation and execution of a municipal court collection services contract.

Municipal Court Administrator Rychlik presented staff's recommendation to award the contract to McCreary, Veselka, Bragg & Allen, PC, which was the firm that scored the highest during the evaluation process. The contract would be for five years, with an opportunity to terminate. City Manager Snipes noted there was a performance clause in the agreement. Councilmember Emery asked if Council had a say in the performance clause of the agreement. Assistant City Manager Atkinson stated they could look into it. Mayor Ford requested that Council receive the annual reviews.

Councilmember Maroulis moved to negotiate and execute a municipal court collection services contract with MVBA, per staff's recommendation. **MOTION DIED DUE TO LACK OF SECOND.**

Councilmember Maroulis asked if City Council decided on Linebarger, would they work with the City regarding add-on services. Rychlik stated she was not sure as they did not propose any add-ons.

Councilmember Emery moved to negotiate and execute a municipal court collection services contract with Linebarger. Councilmember Pearson seconded. **MOTION PASSED.**

Ayes: Councilmembers Pearson, Boney, Maroulis and Emery  
Nays: Mayor Ford, Mayor Pro Tem Preston and Councilmember Edwards

- (c) Consider authorizing the city manager to negotiate and execute an interlocal agreement with the City of Pearland for the purchase of the Pearland Package Plant for an amount not to exceed \$2,300,000.

Councilmember Boney asked about the repercussions, had the City of Pearland decided not to enter the agreement after the item was tagged during the last City Council meeting. Utilities Manager McGraw stated the City would have to spend up to \$15 million building a new plant. Councilmember Boney thanked the City of Pearland.

Councilmember Emery moved to authorize the city manager to negotiate and execute an interlocal agreement with the City of Pearland for the purchase of the Pearland Package Plant for an amount not to exceed \$2,300,000. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (d) Consider authorizing the City Manager to execute a contract for ditch cleaning and excavation services.

Assistant Director of Public Works Brouhard noted that after the previous contract was approved, the bidder decided not to sign the contract. City Staff members have now decided to go with the second bidder. Mayor Ford noted the contract would begin in FY 2019 for \$40,000, and the subsequent two (2) years at \$40,000 per year making the total contract for the three year term \$120,000. Mayor inquired on the reason for the high cost. Brouhard stated the bid was not written in a clear way and have asked the contractor to provide line items.

Councilmember Maroulis moved to authorize the City Manager to execute a contract for ditch cleaning and excavation services with Texas Drainage Inc. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

## 10. ORDINANCES

- (a) Consider an ordinance amending the general budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019; transferring various appropriations among accounts; appropriating supplemental revenue to various fund accounts; authorizing the appropriate city officials to take steps necessary to accomplish such transfers; making certain findings; containing certain provisions relating to the subject; and consider the ordinance on the first and final reading.

Director Portis presented the budget amendments for the second quarter. Mayor Ford asked if the amendments increased the budget. Portis stated it changed in multiple funds and there were net income impacts. Mayor Ford stated she believed Hotel Occupancy Tax (HOT) funds should be used for permanent items, as opposed to festivals. First Assistant Attorney Way noted that HOT funds should be used for items that could be used to promote tourism, and cannot be on anything the general fund could cover.

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

## 11. RESOLUTIONS

- (a) Consider a resolution authorizing the Mayor to execute and the City Secretary to attest an assignment, notice and consent by and between the City of Missouri City, Texas; Star Gessner Properties, LTD; and Waterworld USA, Inc. pertaining to the assignment of a tax abatement agreement from Star Gessner Properties, LTD to Waterworld USA, Inc.

Councilmember Pearson moved to approve the resolution. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

**12. CITY COUNCIL ANNOUNCEMENTS**

Councilmember Emery announced his upcoming Community Meeting on May 23, with County Judge KB George speaking in regards to Oyster Creek. Councilmember Pearson stated he talked to businesses on Texas Parkway on cleaning up their business area. Councilmember Maroulis stated he attended the Bamboo Spice ribbon cutting; participated at the Public Service Recognition Week; and, congratulated the Parks and Recreation Department for MCTX event. Councilmember Boney thanked Representative Ron Reynolds and the Communications department for bringing the Small Business event to Missouri City. Boney thanked staff and all residents who serve on committees. Mayor Ford thanked Chase for sponsoring a luncheon to provide education to small business owners and receiving funding.

**13. ADJOURN**

The regular City Council meeting adjourned at 8:34 p.m.

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Maria Jackson, City Secretary