

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 SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, June 17, 2019**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:00 p.m.** to consider the following:

1. CALL TO ORDER

Mayor Ford called the meeting to order at 5:03 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, Boney, Maroulis, and Emery; City Manager Snipes, City Secretary Jackson, Assistant City Manager Atkinson, First Assistant City Attorney Way, and Director of Financial Services Portis. Absent: City Attorney Iyamu.

2. DISCUSSION/POSSIBLE ACTION

(a) Presentation of City financial forecast with Jon Hockenynos.

Jon Hockenynos presented on the City's financial forecast. Councilmember Emery asked about the driver of sales rate falling. Hockenynos believed the driver was sociological due to living in a consumer driver world. Councilmember Boney inquired on how the City came in compared to last year's projections. Hockenynos stated he projected an eight percent growth and the City surpassed it. Mayor Ford asked how communities were handling e-commerce and its effect on sales tax. Hockenynos stated they were receiving less sales tax due to e-commerce, but there has been no proactive effort by any community.

(b) Presentation of the Legislative Session update.

Karen Kennard with Greenburg Traurig presented the legislative session update. Kennard spoke about preempted bills that passed as follows: no lemonade stand ordinances pursuant to House Bill 234 and effective September 1, 2019; a City could not regulate rabbit carcasses pursuant to House Bill 410 and effective September 1, 2019; a City could not regulate farmers markets pursuant to House Bill 1694 and effective September 1, 2019; no City regulation of most cottage food operations pursuant to Senate Bill 572 and effective September 1, 2019; no "adverse" government action against a person for religious reasons pursuant to Senate Bill 1978 and effective September 1, 2019; no electric bikes regulations pursuant to House Bill 2188 and effective September 1, 2019; a City could not prohibit dogs in outdoor portions of restaurants pursuant to Senate Bill 476 and effective September 1, 2019; a City could not hire contingent fee attorneys without the Attorney General approval subject to appeal to the State Office of Administrative Hearings (SOAH) pursuant to House Bill 2826 and effective September 1, 2019; no new red light camera contracts pursuant to House Bill 1631 and effective immediately; and, no City regulation of weapons of any type pursuant to House Bill 3231 and effective September 1, 2019.

Kennard also stated Senate Bill 2, the revenue cap bill, started at a 2.5-percent revenue cap and would not allow the City to raise their rollback rate. The bill rate was raised and stayed at 3.5-percent and would be in effect on January 1, 2020. On the effective date, the City would not be able to increase their rollback above that percentage.

Councilmember Edwards stepped away at 5:45 p.m. and returned at 5:50 p.m.

Kennard moved on to address the City and County revenue cap bill was a smokescreen as the real issue with property taxes was school funding. The current budget states school taxes “shall” increase by 7-percent each year and the next budget calls for 6.1-percent. Doing so allowed the state to reduce state funding to schools by \$800 million this biennium; and, the state budget rider drove up school property taxes \$6.9 billion. She noted the property tax crisis caused by the state were resulting in cities as the collateral damage. House Bill 3 would buy-down school taxes by \$2.7 billion, which was a good start to addressing concerns.

Regarding debt bills, Kennard stated House Bill 477 would require the City to put more information on the ballot language for bonds. If a bond passed, it would require wording such as “would be paid through tax revenues.” Senate Bill 30 requires bond proposition to have a single purpose and be explicitly spelled out. Kennard noted there was nothing adopted in legislation regarding annexation.

Regarding land use bills, the following bills were discussed: a county and municipal government must approve or disapprove (vs “act on”) subdivision plat applications within 30 days or they were deemed approved pursuant to House Bill 3167 and effective September 1, 2019; required digital mapping for home rule cities pursuant to Senate Bill 1303 and effective September 1, 2019; and, a 3/4s vote of council was required for non-consent historic landmark designation pursuant to House Bill 2496 and effective immediately.

Regarding election bills, the following bills were discussed: the City could remove deceased candidates from a ballot up to printing of the ballot pursuant to House Bill 1067 and effective immediately; a runoff ballot candidate order must be the same relative to the original ballot order pursuant to House Bill 88 and effective September 1, 2019; other than a disaster displacement, candidates to show eligibility must have made an effort to return to residence after a temporary absence pursuant to House Bill 831 and effective January 1, 2020; and, for November elections, a City could not have an early voting place that was not a county voting place, unless all county places in the city were designated by the City, pursuant to House Bill 1048 and effective immediately.

Regarding open meetings, the following passed bills were discussed: an attempt to fix a recent court case declaring conspiracy a crime of the Open Meetings Act unconstitutional pursuant to Senate Bill 1640 and effective immediately; a City must allow the public to comment in public meetings pursuant to House Bill 2840 and effective September 1, 2019; and, expands emergency powers under the Open Meetings Act pursuant to Senate Bill 494 and effective September 1, 2019.

Regarding public information, the following bills were discussed: House Bill 305 requires that a city website post meetings, elections, and other information effective September 1, 2019; Senate Bill 943 expanded third party vendors and contractors of cities subject were open records, which overturns much of Boeing v Paxton case, and effective January 1, 2020; Senate Bill 944 requires that city officials must forward city business on cell phones to the Public Information Act (PIA) officer effective September 1, 2019; and, information about parades and concerts paid with public funds were open records pursuant to House Bill 81 and effective immediately.

Regarding right of way fees, the following bill was discussed: Senate Bill 1152 relates to the payment of certain fees to municipalities by entities that provide telecommunications and cable or video services was effective September 1, 2019.

Regarding city fees, the following bill was discussed: building permit fees may not be tied to the value of building or cost of construction pursuant to House Bill 852 and effective immediately. She added, cities must choose other criteria, such as square footage, flat fee, or other method, to calculate fees.

Regarding building code and regulations, the following bill was discussed: a City could not regulate building material, methods authorized by national building codes, with limited exceptions pursuant to House Bill 2439 and effective September 1, 2019.

Regarding public safety, the following bills were discussed: emergency radio infrastructure revolving loan program pursuant to House Bill 2952 and effective September 1, 2019; mosquito control waiver during an emergency pursuant to Senate Bill 1113 and effective September 1, 2019; and, mutual aid law enforcement agreements need not be with just neighboring cities pursuant to House Bill 1789 and effective immediately.

Regarding employment, the following bill was discussed: all city officials and employees with access to government computer systems must complete annual cybersecurity training, which could be offered in-house, pursuant to House Bill 3834 and effective immediately.

City Council addressed agenda item 2d.

- (d) Presentation on an energy saving project.

Director of Public Works Kumar presented and discussed the energy saving project. Keith Chase, Noresco, presented that they have worked with staff to determine City goals and their efficiency projects. William Travers presented on the technical side of the project. Travers spoke on LED street lights and, if approved, they would be installed within the next month or two.

- (e) Consider the City's board, committee, and commission member appointments.

Councilmember Maroulis moved to appoint Warren Howard Waugh to the Construction Board of Adjustments and Appeals Board. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

City Council recessed the special City Council meeting at 6:54 p.m.

At 7:55 p.m., City Council reconvened the special City Council meeting to discuss agenda item 2c.

- (c) Presentation of Fiscal Year 2020 budget overview.

City Manager Snipes and Director of Financial Services Portis presented on the Fiscal Year 2020 budget overview.

3. **ADJOURN**

The special City Council meeting adjourned at 8:27 p.m.

Maria Jackson, City Secretary