

**YOLANDA FORD**  
Mayor

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

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



**CHERYL STERLING**  
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, April 6, 2020**, 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:

*Due to the COVID 19 Disaster and the Center for Disease Control's recommendation regarding social distancing measures, the Mayor, City Council, City Staff members, and members of the public were not physically present during this meeting. The meeting was made possible through the cloud-based video conferencing platform Zoom.*

### 1. ROLL CALL

Mayor Ford called the meeting to order at 7:05 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Maroulis, and Emery; Interim City Manager Atkinson, City Attorney Iyamu, and City Secretary Jackson. Absent: Councilmember Boney.

2. The **PLEDGE OF ALLEGIANCE** was led by Planning Manager Thomas Gomez.

### 3. PRESENTATIONS AND RECOGNITIONS

Mayor Ford proclaimed April as "National Fair Housing Month" in the City of Missouri City.

There were no **PUBLIC COMMENTS**.

### 5. STAFF REPORTS

Interim City Manager Atkinson presented an update on City's response to the Coronavirus Disease 2019 (COVID-19).

### 6. CONSENT AGENDA

- (a) Consider approving the minutes of the special and regular City Council meetings of March 16, 2020, and the special City Council meeting of March 30, 2020.
- (b) Consider an ordinance disannexing a 5.36-acre tract of land located north of the Sienna Sports Complex, south of the Sienna Village of Bees Creek residential subdivision, east of the Brazos River, and west of the Brazos Canal Access Road; and consider the ordinance on the second and final reading.

Councilmember Emery moved to approve the Consent Agenda pursuant to recommendations by City Staff. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards,  
Councilmember Sterling, Councilmember Maroulis and Councilmember  
Emery  
Nays: None

## 7. PUBLIC HEARINGS AND RELATED ACTIONS

### (a) Zoning Public Hearings and Ordinances

- (1) Public hearing to receive comments for or against a request for a specific use permit authorizing a place of assembly use within an approximate 2,488 square foot lease space in the Missouri City Central shopping center (Omid Center); providing limitations, restrictions, and conditions on such specific use; amending the zoning district map of the City of Missouri City; providing a penalty; containing other provisions relating to the subject; and consider the related ordinance on the first of two readings. The subject site is located within a lease space at 2416 Texas Parkway.

Planning Manager Thomas Gomez stated the specific use permit allowed for the location of a place of assembly in an approximate 2,488 square foot lease space in the Missouri City Central shopping center (Omid Center); and, to the extent, such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan. Khan Ghufuran, IQRA Foundation, submitted a commercial change of occupancy application in October 2019 to locate a mosque in a lease space at 2416 Texas Parkway. At the time, it was thought that a church had previously occupied the space and that the proposed use was nonconforming. The application was approved and a certificate of occupancy was issued on or around December 5, 2019. The certificate of occupancy maintained the lease space as building code occupancy Group B providing for a maximum occupant load of 49 persons. Gomez added that on December 9, 2019, Mr. Ghufuran requested that the building code occupancy Group B be changed to Group A, Assembly, to allow for an increase in persons permitted in the space. Mr. Ghufuran provided that the lease space would be used for afternoon prayers and anticipated a congregation of approximately 100 persons. When this request was made, it was discovered that the zoning district for the shopping center requires a SUP, Specific Use Permit for the location of places of assembly including religious activities. Mr. Ghufuran and his development team, Purser Architectural, met with City Staff and discussed these issues and have subsequently made this application for approval of a SUP to allow for the location of a places of assembly in the subject lease space. Gomez stated staff recommended approval and the Planning and Zoning Commission also forward a positive recommendation for an SUP allowing for a place of assembly for a period not to exceed five years.

Mayor Ford asked if there another place of assembly in the shopping center. Gomez stated there was at least one other place of assembly. Ford asked what the occupancies rates were for the other sections. Gomez stated they would provide it to Council before the second reading. Councilmember Edwards asked if the applicant consulted with leasing management before they signed the leasing contract. Gomez stated the applicant was told the use was already permitted in the space, when they signed the lease. Councilmember Emery asked if that was an accurate statement. Gomez stated she was not sure as staff was given different perspectives. Councilmember Maroulis asked if the property owner required doing striping in the parking lot and other enhancements. Gomez noted the zoning ordinance for parking requires it to be striped and may be addressed by code enforcement. Mayor Ford asked if this would restrict any business going into the movie theater to sell alcohol. Gomez noted that was correct.

Mayor Pro Tem Preston moved to open the public hearing at 7:36 p.m. Councilmember Sterling seconded.  
**MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards,  
Councilmember Sterling, Councilmember Maroulis and Councilmember  
Emery  
Nays: None

With no public comments, Mayor Pro Tem Preston moved to close the public hearing at 7:37 p.m. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: None

Councilmember Maroulis moved to approve the ordinance. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: None

- (2) Public hearing to receive comments for or against a request to amend PD, Planned Development District No. 96 (Ordinance O-15-54), revise the site plan and amend the regulations and restrictions providing for an amendment to the Comprehensive Plan; providing a penalty; and consider the related ordinance on the first of two readings. The subject site is located north and south of Lake Olympia Parkway, north of Dry Creek Village, east of Parks Edge and west of the Fort Bend Parkway.

Planning Manager Thomas Gomez stated the ordinance was to amend PD, Planned Development District No. 96 (Ordinance O-15-54), to revise the site plan and to amend the regulations and restrictions; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan. Gomez noted PD No. 96 was approved in November 2014 to allow for the development of a mixed-use project. The proposed development was to include a mix of single family residential, multifamily, office and other commercial and civic uses. All development within the PD was proposed to be in accordance with a site plan, general development plan and residential builder guidelines. The development was proposed to be completed in two phases. Phase 1 consisted of a minimum of 15,000 square feet of retail/commercial uses and up to 350 multifamily dwelling units; and, Phase 2 was to begin upon the completion of all Phase 1 multifamily dwelling units and the certification that a minimum of 75-percent of the commercial square footage was occupied. Gomez stated the developer for the property has been working with the City as well as other entities including the Fort Bend Toll Road Authority on the coordination and timing for public improvements, infrastructure and access to the development. Fire Station No. 6, a proposed 16,000 square foot building, was planned to be constructed within PD No. 96, on a property donated by the developer. The applicant proposed to amend the regulations and restrictions contained in PD No. 96; to modify and refine the mix of uses permitted; to modify the development schedule; to provide for major and minor modifications; and, to amend the site plan as development of the area becomes more certain. Gomez noted staff recommended approval and the Planning and Zoning Commission forward a positive recommendation.

Councilmember Emery asked if the height that borders the residential area would be maintained at two stories. Gomez stated that the maximum would be two stories or 35 feet. Emery asked if the 1.35 acres for the fire station and auxiliary activity was sufficient. Joel R Scott of Terramark Ventures noted the acreage was 1.53 acres. Fire Chief Campbell noted the acreage was in line with the architectural design and enough area.

Councilmember Maroulis moved to open the public hearing at 8:08 p.m. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: None

Mayor Ford noted she was concerned with senior living apartments being in the center, while the other uses allow for outside entertainment. Joe Webb with AIA Webb Architects stated the area was isolated and tempered with the park space, which would provide a buffer to loud noises. Ford believes senior apartments would be more feasible if moved closer to the fire station. Scott noted the senior apartments were not assisted nor retirement living apartments. The apartments were for those 55 plus and have a developer interested in the site, which was why it was designed that way. Ford asked if there was a restriction tied to tax credit or if it was the desire of the development; and, if so, may it change at any point. Scott noted it was not a tax credit project, but luxury apartments with many amenities. Ford asked the age limit was tied legally. City Attorney Iyamu noted that on page five of the ordinance the assisted living residential was included as MU1 and MU2a, and MU2b sub districts. Iyamu asked clarification if the intent was to include assisted living residential in the sub districts or if was to include MM2, multi-family residences. Scott stated it was to be given the opportunity to include it if they have someone who desires to do so. Gomez clarified the desire was to maintain assisted living in mix use portion. Councilmember Emery asked about the breakdown between multifamily to condominium. Webb noted there was no breakdown, and the current contemplation was a 275-unit luxury multifamily project in Phase 1 and no condominiums. He added the condominiums, if built, would be at a later phase and if there was a high demand. Councilmember Maroulis asked if the LC3 designations were established. Gomez confirmed. Councilmember Sterling asked if the 35 units per acre was a bit small. Webb stated neither of the projects would exceed 30 units per acre and the 35 units per acre would be during a second phase if required. Maroulis spoke about the large number of apartments being an impact to the neighborhood and traffic. Webb stated the number of apartments was included in the original ordinance and noted having multiple point of access would help mitigate the traffic issue.

Councilmember Edwards moved to close the public hearing at 8:22 p.m. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

Councilmember Edwards moved to approve the ordinance. Councilmember Sterling seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

- (3) Public hearing to receive comments for or against a request to amend PD, Planned Development District No. 106 (Ordinance O-18-20) to allow for a mixed use, commercial and residential development; providing for an amendment to the Comprehensive Plan; providing a penalty; and consider the related ordinance on the first of two readings. The subject site is located north of Excel Urgent Care, south of a Murphy Express gas station and Cube Smart self-storage, east of Quail Valley Thunderbird and a Public Storage, and west of Colony Lakes residential subdivision.

Planning Manager Thomas Gomez presented an overview on the request to amend PD, Planned Development District No. 106 (Ordinance O-18-20) to allow for a mixed use, commercial and residential development. Gomez noted staff recommended approval and the Planning and Zoning Commission forward a positive recommendation.

Councilmember Maroulis moved to open the public hearing at 8:35 p.m. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

**Kevin Zhang**, 6819 Loupe Lane, spoke against the request; and, expressed concerns with the existing fence and the future of this barrier.

Planning Manager Thomas Gomez addressed fencing concerns. Gomez noted Council could place verbiage in the ordinance that the transition masonry wall be maintained.

**Kevin Zhang**, also noted there was a walking trail along the water pond used by the neighbors, which was why their concern was with there being no such barrier.

**Cynthia Ramirez**, STOA Architects (applicant), noted they would maintain the barrier wall and make sure there was a fence.

**Ann Schneider**, 6815 Loupe Lane, spoke against the request and addressed concerns with traffic and noise.

Councilmember Maroulis moved to close the public hearing at 8:46 p.m. Councilmember Edwards seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Maroulis and Councilmember Emery  
Nays: Councilmember Sterling

Councilmember Maroulis moved to approve the ordinance. Councilmember Emery seconded.

Discussion ensued. Councilmember Maroulis asked about the wall and if there was no longer going to be waterfront properties. Ramirez stated it would be a concrete wall but they would adapt to the community. Maroulis stated that changing the building from three floors to five was enormous and asked what they could do to accommodate the public. Ramirez clarified the building would consist of four floors, with one floor being for parking. She stated it would be five floors overall with 340 units. Councilmember Emery asked if they could accommodate development needs with staying at four stories. He also asked if the waterway in the back was going to be considered a water feature. Ramirez stated they planned to include the waterway as part of the area, but with working with the community, they asked to keep the area restricted for privacy. She added that the development did not include all five stories, but transitioned into that to include condominiums. Emery asked if the Fire Chief if their equipment could accommodate a five-story building. Fire Chief Campbell stated they could. Councilmember Maroulis noted his motion did not include recommendations from staff. Mayor Ford asked if the residents were notified. Gomez stated residents within the 200 feet buffer were given noticed. Mayor Pro Tem Preston asked residents with concerns to send him an email. Ford asked the applicant to meet with the developer to address resident concerns.

Councilmember Maroulis moved to approve the ordinance with consideration of the builder to reduce the building to four stories and to maintain the existing wall. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

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

**9. AUTHORIZATIONS**

- (a) Consider awarding a professional service agreement for the provision of materials testing, geotechnical and environmental services for Public Works\Capital Improvement projects.

Councilmember Emery moved to award a professional service agreement for the provision of materials testing, geotechnical and environmental services for Public Works\Capital Improvement projects. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

- (b) Consider authorizing the negotiation and execution of a contract with Gulf Coast Water Authority (GCWA) to purchase an additional 10 MGD of raw water supplies.

Councilmember Emery moved authorize the negotiation and execution of a contract with Gulf Coast Water Authority (GCWA) to purchase an additional 10 MGD of raw water supplies. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

**10. ORDINANCES**

- (a) Consider an ordinance amending Chapter 38, Fire Protection and Prevention, of the Missouri City Code; authorizing the Fire and Rescue Services Department to enforce laws and establish a fire prevention and community risk reduction division; providing for repeal; providing a penalty; and providing for severability and to consider the ordinance on the first of two readings.

Mayor Pro Preston moved to adopt the ordinance. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

- (b) Consider an ordinance of the City of Missouri City, Texas, as authorized by the Governor of the State of Texas postponing the Special Election scheduled on May 2, 2020, to November 3, 2020, for the purpose of submitting to the qualified voters of the City of Missouri City a proposition providing for or against the adoption of the fire fighters' and police officers' civil service law; providing for severability; and containing other provisions relating to the subject; and to consider the ordinance on the first and final reading.

Councilmember Maroulis moved to adopt the ordinance. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

**11. RESOLUTIONS**

- (a) Consider a resolution suspending the May 4, 2020 effective date of the proposal by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Houston division to implement interim gas reliability infrastructure program rate adjustments for gas utility investment in 2019; and containing certain provisions relating to the subject.

Mayor Pro Tem Preston moved to approve the resolution. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery  
Nays: None

**12. CITY COUNCIL ANNOUNCEMENTS**

Mayor Pro Tem Preston wished Councilmember Boney a speedy recovery; thanked staff for continuing their work from home and/or office; and, thanked local businesses that were meeting the needs of the community. Councilmember Edwards concurred with Mayor Pro Tem Preston regarding staff that keeps working; and, she asked that residents stay safe and support small businesses. Councilmember Sterling concurred with Mayor Pro Tem Preston and Councilmember Edwards' comments, wished Councilmember Boney a speedy recovery; and, asked residents to support local businesses. Councilmember Maroulis thanked MCTV Producer Penalba for recording and posting Zoom City Council meetings; wished everyone a happy Good Friday and happy Easter; and, encouraged social distancing. Councilmember Emery wished Councilmember Boney a speedy recovery; and, encouraged citizens to shop local businesses. Mayor Ford sent prayers to Councilmember Boney and everyone affected by COVID-19; and, reminded everyone that there would be special drawing for those who ordered from small businesses in the City.

**13. ADJOURN**

The regular City Council meeting adjourned at 9:19 p.m.

Minutes PASSED AND APPROVED this the 20<sup>th</sup> day of April 2020.

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Maria Jackson, City Secretary