

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 SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, June 15, 2020**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **6:00 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. CALL TO ORDER

Mayor Ford called the meeting to order at 6:18 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; Interim City Manager Atkinson, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Martel, Director of Communications Walker, Director of Public Works Kumar, Director of Development Services Spriggs, Director of Parks and Recreation Mangum, Assistant Director of Public Works Brouhard, Media Specialist II Sanders, and MCTV Producer Penalba. Also present: Sirous Alavi and Tahmid Rahman consultants from Fugro.

2. DISCUSSION/POSSIBLE ACTION

- (a) Update on city-wide sidewalk and pavement assessments as part of the Pavement Maintenance and Management Program (PMMP).

Director of Public Works Kumar presented an update on the city-wide sidewalk and pavement assessments as part of the Pavement Maintenance and Management Program. Assistant Director of Public Works Brouhard addressed the Sidewalk Rehabilitation Program. Sirous Alavi, Paving Engineering Manager from Fugro, provided an overview of the findings on pavement assessments. Director Kumar then discussed the proposed funding moving forward.

Councilmember Sterling asked if the Colony Crossing items were completed or ongoing. Assistant Director Brouhard stated that he would check and it was possible that they were not on the original list, which was why it was not shown on the map. He noted the map was based on the original 2017 work order list. Interim City Manager Atkinson stated they were talking to the financial advisor and looking at the potential for capacity.

At 6:59 p.m., without objection, City Council recessed the special City Council meeting.

At 8:49 p.m., City Council reconvened the special City Council meeting. Mayor Ford conducted another roll call.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; Interim City Manager Atkinson, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Martel, Director of Communications Walker, Director of Development Services Spriggs, Director of Parks and Recreation Mangum, Media Specialist II Sanders, and MCTV Producer Penalba.

- (b) Discuss the proposed ordinance adding Chapter 17, "Arts in Public Places Program," to the City Code of the City of Missouri City, Texas.

Director of Parks and Recreation Mangum presented on the proposed ordinance adding Chapter 17, "Arts in Public Places Program," to the City Code. Mayor Ford asked about the maintenance component of the art. Mangum noted the ordinance stated the Arts Commission would make an annual review of the City's art collection. He stated that before placing a piece of art they would take into consideration how durable it was. Mangum recommended having a maintenance agreement with the artist and noted anything major would go to the consideration of the public art program and anything minor would be taken care of by the department.

Mayor Ford asked for a budget to be set aside for the maintenance. Mangum stated the budgeted amount under the HOT funds was about \$50,000. Interim City Manager Atkinson stated they would look into what the exact amount was and report to City Council. Ford stated the ordinance should state if the City would need to provide maintenance and the costs if the artist were not to maintain their art.

Councilmember Edwards asked Mangum to share the type of art residents wanted to see. Mangum stated they held two public meetings with residents and noted their desire for murals and public sculptures. He noted they spoke mostly about outside art installation and not indoor art. Ford asked if there was a process of installation for murals and if there were hot spots for tagging. Mangum stated there was not a process of installation in the ordinance as it pertained to operations. He noted there were a couple of organizations that have great processes and stated the City would work with them before any requests or proposals.

Councilmember Edwards asked if the maintenance of the landscape would be included in the maintenance. Mangum stated it would be part of the Parks and Recreation Department budget. Ford noted the City of Houston stopped permanent murals and only allowed murals on plywood because of tagging issues. She requested to have information pertaining to maintenance requests added to the ordinance and come before Council.

Councilmember Emery asked if the murals on the traffic control boxes were covered under this ordinance. Mangum stated most of those were designed and placed with a decal so it was not covered under the ordinance but could be placed on it.

Mayor Pro Tem Preston asked that Mangum go over the public participation. Mangum noted they had two public meetings with residents, artists and art educators. Preston stated it would be wise to circle back around with the community to make sure everyone had an opportunity to give their input.

Councilmember Boney asked when they anticipated filling the seats for the Arts Commission. Mangum stated they were not in a rush to hit a date deadline, as they want to make sure they get it right with the ordinance and processes.

Buddy Snyder, 2602 Creekway Circle, stated he had been in support of public art in the City for years but was disappointed with the wording within the ordinance, revision or elimination of Definition C, as he believes there are a lot of talented individuals who would be willing to donate public art. He would like the following deleted from the ordinance: Section (c) Artist means a practitioner in the visual and or performing arts, recognized by critics and peers as a professional with the ability to produce fine art. He stated there were many talented individuals in the community that could create and donate public art if it were not for such definition.

Councilmember Edwards stated it would be a great idea to involve the community in the survey and that they collaborate with the Communications Department to get the word out. Mangum stated he would work with Communications to discuss community input. Ford thanked Mangum for moving the program forward as she has wanted public art in the City for years. Atkinson stated Mangum would put together a timeline of actions.

- (c) Consider and discuss the Missouri City Parks Foundation member appointments.

City Secretary Jackson stated that during the June 8, 2020, special City Council meeting, City Council requested that she contact Mr. James Davidson and Ms. Debbie Poncik to determine if they would be interested in serving the Missouri City Parks Foundation as both submitted candidate applications to serve other city boards. Jackson contacted both and they agreed to serve.

Mayor Pro Tem Preston moved to appoint James Davidson and Debbie Poncik to the Missouri City Parks Foundation. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

(d) Consider and discuss the charter review process.

City Attorney Iyamu presented on the charter review process. She stated the City's Charter was last reviewed in 2016 and the election was held in 2017. Mayor Ford asked if Council could provide Iyamu with updates and she could present them during a special meeting for the Commissions consideration. Iyamu stated that would work or she could place an item on the July 6 meeting and she could receive their recommendations at that time. Councilmember Emery asked if she was going to put a list together of the items that needed to be reviewed based on new state legislation. Iyamu confirmed and added that at this time the charter complied with state law. She stated she had requests and/or recommendation from staff for the charter. Ford asked that Iyamu send them a timeline of dates of when Council needs to submit items to her.

3. CLOSED EXECUTIVE SESSION

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 9:33 p.m.

Texas Government Code, Section 551.071 – Consultation with attorney to seek or receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: Ivy Kenneth Miraflor and Josefina P. Serrano v. City of Missouri City, Texas, and Yolanda Ford, as Mayor and Councilmember (Case number 4:20-CV-010504 in the United States District Court for the Southern District of Texas Houston Division).

4. RECONVENE

At 9:44 p.m., City Council reconvened into open session. No action was taken.

3. ADJOURN

The special City Council meeting adjourned at 9:44 p.m.

Minutes PASSED AND APPROVED this the 6th day of July 2020.

Maria Jackson, City Secretary