

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, September 21, 2020**, at the City Hall, Council Chamber, 2nd 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 7:54 p.m.

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

2. The **PLEDGE OF ALLEGIANCE** was led by Assistant City Manager Martel.

There were no **PRESENTATIONS AND RECOGNITIONS, PUBLIC COMMENTS,** nor **STAFF REPORTS.**

6. **CONSENT AGENDA**

- (a) Consider approving the minutes of the special and regular City Council meetings of September 8, 2020.
- (b) Consider an ordinance authorizing the extension of the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) to 2049; and consider the ordinance on the second and final reading.
- (c) Consider an ordinance authorizing an amendment to the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) Project and Financing Plan; and consider the ordinance on the second and final reading.
- (d) Consider an ordinance amending the City of Missouri City Personnel Policy; amending drug testing policies for certain employees; and consider the ordinance on the second and final reading.
- (e) Consider an ordinance authorizing the crediting of updated service credits in the Texas Municipal Retirement System for certain City of Missouri City employees; providing for increased annuities for certain City of Missouri City retirees and beneficiaries of deceased retirees; and consider the ordinance on the second and final reading.
- (f) Consider authorizing the renewal of a depository contract.
- (g) Consider authorizing a request for the waiver of penalty and interest.

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

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

Nays: None

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) Zoning Public Hearings and Ordinances

- (1) Consider an ordinance for a specific use permit authorizing the use of an approximate 20-acre tract of land zoned as SD suburban district to provide for the development of a place of assembly for a proposed Fort Bend Independent School District (FBISD) elementary school site; and consider a related ordinance on the second and final reading. The subject site is located at the northeast corner of Knights Court and Thompson Ferry Road, north of Stonebrook at Riverstone, north and west of Elkins High School and east of the Creekstone Village at Riverstone residential subdivision.

Planning Manager Thomas Gomez presented an overview on the second reading of the proposed elementary school site. Councilmember Maroulis spoke on the public notice and if the distance could be expanded on who would be notified. He suggested when they see certain triggers if they could extend the radius of notification. Gomez stated they would do so. Maroulis thanked Fort Bend Independent School District to listening to their concerns. Councilmember Emery thanked the FBISD design team for listening and accommodating them.

Councilmember Emery moved to approve the ordinance. 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

(b) Public Hearings and related actions

- (1) Public hearing on the approval and adoption of the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021; and consider a related ordinance on the first and final reading.

Director of Financial Services Portis presented on the approval and adoption of the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021.

Councilmember Edwards moved to open the public hearing at 8:39 p.m. 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

Councilmember Boney inquired who selected the stakeholders and who did the Community Development Corporations (CDC) report to. City Manager Jones stated it would be City Council. Boney asked if City Council was responsible for appointing individuals to the CDC and if they would have oversight over them. Jones stated that was correct and it was similar to the system they had with the golf course. Boney asked if they were working to resolve that; has that not already been addressed by the other CDC's in the region; and, if they could collaborate with them. Jones stated that he believed that as long as it had a focus for the corridor and the City, it would be worthwhile; however, they do need to make sure they had a CDC that was

focused on redeveloping the corridor. Jones stated he was asking Council to make a concerted effort to vote on a budget that would be inclusive of investing in the corridors.

Councilmember Emery inquired on the use of the general fund dollars that were over prescribed 30%. He stated the displays indicate the surplus dollars should be used for one-time funding and asked if they were funding the new Communications employees with the Lean Six Sigma Program. Jones noted the current policy was of 20-30% overall. Portis explained that the use of fund balances were only being used for one-time expenditures and the personnel item Emery described was included in the base budget. She noted some of the personnel funds were funded through the reallocation of existing funds. Portis added that the one-time expenditures that the fund balance was being used for was as follows:

- \$1.8 million for the Sidewalk Repair Replacement Program;
- \$1.5 million for Small Business Loans; and,
- \$200,000 for CDC and contracts for the Lean Six Sigma Program.

Councilmember Emery restated his question, as he did not receive an answer. He asked if the dollars to fund the new positions were coming out of the excess of the general fund reserves over the 30% threshold that they must maintain. Portis stated they were not and were part of the regular operating budget. She noted they were approved through a supplemental request that would be added in the budget in the future. Assistant City Manager Atkinson clarified they were operational revenues above and beyond one time revenues.

Councilmember Maroulis asked if they could reconsider the full time positions to be reallocated to positions in the Parks and Recreation Department and the Public Works Department instead. Jones stated it was his proposal of the budget to Council and highly suggested that they do not reallocate. He recommended they become a data driven organization and begin making decisions off data. Maroulis believed they need additional park takers and permit representatives instead of communication employees. Jones stated that when evaluating it from an operations standpoint, he thinks there was a lack of appropriate processes. Councilmember Sterling thanked Jones as she noted one of the first thing she asked, when elected, was about a data driven organization. Councilmember Maroulis stated he believed they should assist the Lexington Settlement subdivision that has been flooding for the past five years and investment funds in the parks. He stated that regarding the CDC, he does not see any data that they need it. Maroulis believes that the City Manager Office lacks transparency in proposing a CDC on a Friday night before the Monday City Council meeting. Jones stated he has been actively looking into what was the best way to develop the corridor, as nothing had been done over the last decade. He believes this approach was proven to work around the country and in the region. Maroulis stated they were making a decision on large amount of money but did not receive enough information to make that decision. Jones agreed that they need to have more discussion, but noted they would have thorough conversations before anything was finalized.

Councilmember Emery stated he believed now was not the time to increase the budget in order to add full time employees. Councilmember Edwards noted citizens need to be better informed on the CARES Act, which was one of the reasons for additional staff in the Communications Department. Mayor Ford noted the last City Manager stated they operated the city with less number of employees for cities their size and she requested the numbers. Atkinson stated he did not recall the exact number. Ford believed they were operating with 25% less staff than cities their size.

Councilmember Boney reiterated the importance of the corridors to him but noted that if the TIRZ was like a CDC, then they already had what they needed. He said he was sure if the taxpayers had the opportunity to choose what was important to them, they would choose the repair of sidewalks and beautification of the city over the CDC. Boney asked the CDC be removed from the budget and increase the Parks and Recreation Department or the Permits Division by two instead of adding those positions to the Communications Department. Otherwise, he would find it difficult to vote for the budget as is.

Councilmember Edwards moved to close the public hearing at 9:12 p.m. 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

Councilmember Edwards moved to approve the ordinance. Mayor Pro Tem Preston seconded. **MOTION PASSED.**

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

Councilmember Boney stated he was in support of the tax break the residents were going to receive, but was concerned with the lack of transparency of the current administration, the CDC program and the increase in positions.

Councilmember Emery echoed what Councilmember Boney stated. He was concerned with adding people around a problem and thinking it will solve the issue. Emery stated all departments should do the best they could with the staff they have.

Councilmember Maroulis stated he wished he could have solved flooding in Lexington Settlement and Lake Colony, and wished he know more about the CDC. He would like the business in District C to have the opportunity to capitalize on the grants/loans, but did not get the feeling they would be able to do so.

Mayor Ford stated everyone would benefit from the programs. Ford asked how the past budget years looked versus this year. Jones stated that this year the same approach was used and they were \$2-3 million over.

Councilmember Edwards moved to ratify the increase in property tax revenues reflected in the Fiscal Year 2021 budget as presented. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

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

- (2) Public hearing to receive comments for or against an amendment to the strategic partnership agreements between the City of Missouri City, Texas, and Sienna Municipal Utility District Numbers 1, 5, 6, and 7, respectively, to provide for fire protection services.

City Attorney Iyamu presented on the strategic partnership agreements between the City of Missouri City, Texas, and Sienna Municipal Utility District Numbers 1, 5, 6, and 7, respectively, to provide for fire protection services.

Councilmember Maroulis moved to open the public hearing at 9:27 p.m. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

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

With no public comments, Councilmember Boney moved to close the public hearing at 9:27 p.m. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

- (3) Public hearing to receive comments for or against an annexation for the limited purpose of providing fire protection services to Sienna Municipal Utility District Numbers 1, 5, 6, and 7, respectively.

City Attorney Iyamu presented on the annexation for the limited purpose of providing fire protection services to Sienna Municipal Utility District Numbers 1, 5, 6, and 7. She noted her office did not receive any objection to the limited purpose.

Councilmember Edwards moved to open the public hearing at 9:30 p.m. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

With no public comments, Councilmember Edwards moved to close the public hearing at 9:31 p.m. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

8. **APPOINTMENTS**

- (a) Consider nominating and casting votes for candidates to the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) Board of Trustees.

City Secretary Jackson presented on the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) Board of Trustees and explained the voting process to choose candidates to serve on the board. Councilmember Sterling asked if there was any information on each of the candidates. Jackson noted the biography of the candidates were in the cover memo from the agenda packet. Councilmember Sterling requested additional time to review the candidates before a decision was made.

Councilmember Boney moved nominate and cast votes to the following candidates to the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) Board of Trustees: Robert T. Herrera to Place 1; John W. Fullen to Place 2; Jeffrey Snyder to Place 3; and, Dave Martin to Place 4. Councilmember Maroulis. **MOTION FAILED.**

Ayes: Councilmember Boney, Councilmember Maroulis and Councilmember Emery

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

Councilmember Sterling moved to place item 8a on the September 28 special City Council meeting agenda. Councilmember Edwards. **MOTION PASSED UNANIMOUSLY.**

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

9. AUTHORIZATIONS

(a) Consider authorizing the corridor enhancements monument signs construction contract.

Director of Public Works Kumar presented on the corridor enhancements monument signs construction contract. Kumar noted the first phase had been completed while the second phase had been bided out and it would cost about \$3,500. Mayor Ford asked how many phases did this project have. Kumar stated it had three phases and noted the last phase was being designed.

Mayor Pro Tem Preston moved to authorize the corridor enhancements monument signs construction contract. Councilmember Maroulis. **MOTION PASSED UNANIMOUSLY.**

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

(b) Consider authorizing the purchase of air regulators.

Fire Chief Campbell presented on the purchase of air regulators. Councilmember Edwards asked about the lifespan of the regulators. Campbell stated it could be up to 5-7 years if used daily.

Councilmember Edwards moved to authorize the purchase of air regulators. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

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

(c) Consider authorizing the negotiation and execution of a bed maintenance contract.

Director of Parks and Recreation Mangum presented on the bed maintenance contract. Councilmember Emery asked if any additional beds would be considered under the contract or would they only maintain the same locations. Forester/Horticulturist Wierzbicki stated they were adding the library landscaping and in the next fiscal year, they would add a month's maintenance of the Texas Parkway and Cartwright Road medians.

Councilmember Boney moved to authorize the negotiation and execution of a bed maintenance contract. 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

10. ORDINANCES

- (a) Consider an ordinance providing for the assessment, levy, and collection of ad valorem taxes for the City of Missouri City, Texas, for the tax year 2020 and for each year thereafter until otherwise provided; providing the date on which such taxes shall be due and timely paid; and authorizing an additional penalty for the collection of delinquent ad valorem taxes in lieu of recovering attorneys' fees; and consider the ordinance on the first and final reading.

Councilmember Edwards moved to adopt the rate of \$0.453530 for the maintenance and operations component of the tax rate. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

Councilmember Maroulis moved to adopt the rate of \$0.144505 for the debt service component of the tax rate. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

Councilmember Boney moved to adopt the ordinance providing a property tax rate of \$0.598035. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

11. RESOLUTIONS

- (a) Consider a resolution establishing certain programs to address the COVID-19 pandemic; authorizing the use of city funds for such programs.

Assistant City Manager Atkinson presented an overview on programs for the COVID-19 pandemic. Councilmember Maroulis expressed his concerns on the cost of MPACT Strategic Consulting.

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

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

Nays: None

- (b) Consider a resolution amending the utility schedule of fees.

Utilities Manager Todd Hoover presented on the amendment to proposed pumpage fees. Director Kumar presented on the adjustments made on the rates but noted they were one of the lowest rates in the region.

Councilmember Emery asked where they were on the scale of meeting the mandate of being 60% service water by 2025. Hoover stated they were at 32% at the moment and were in line on meeting their goal. Kumar stated they had seen a lot of growth and were very confident they would meet the mandate.

Councilmember Emery asked if the expenses were audited and assured they were appropriate for the operation. Kumar stated the majority of expenses came from the additional water purchased but as more customers were added they would be one of the lowest cost providers of the region.

Councilmember Emery moved to approve the resolution. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

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

- (c) Consider a resolution authorizing the city manager to negotiate and execute licenses for locating mobile food units (food trucks) on certain City of Missouri property.

Mayor Ford stated City staff requested this item be pulled from the agenda.

12. CITY COUNCIL ANNOUNCEMENTS

Mayor Pro Tem Preston thanked the City's residents, staff, and Councilmember Edwards who participated in the Park Clean-Up Day.

Councilmember Edwards echoed what Mayor Pro Tem Preston stated and gave a shout out to Allison Vickery from the Parks and Recreation Department who coordinated the event. She also thanked the Communications Department for capturing the moment and the residents who participated.

Councilmember Sterling echoed what Councilmember Edwards stated. She stated she and Mayor Pro Tem Preston met with an organization for the redevelopment of a center on Texas Parkway.

Councilmember Boney thanked the sorority who let him participate on a virtual panel that discussed the importance of voting. He also participated on the 2020 Census caravan and encouraged all residents to fill out the census.

Councilmember Maroulis thanked Walmart and residents who helped clean the trail along the Walmart area.

Councilmember Emery thanked staff for putting together the budget presentation.

13. ADJOURN

The regular City Council meeting adjourned at 10:24 p.m.

Minutes PASSED AND APPROVED this the 5th day of October 2020.

Maria Jackson, City Secretary