ALLEN OWEN
Mayor

JERRY WYATT
Mayor Pro Tem
Councilmember at Large Position 1

DANNY NGUYEN
Councilmember at Large Position 2

BOBBY MARSHALL
Councilmember District A

DON SMITH
Councilmember District B

ROBIN ELACKATT
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, November 21, 2011,** at the City Hall Council Chambers, Second Floor, 1522 Texas Parkway, Missouri City, Texas, at **7:00 p.m.** to consider the following:

1. ROLL CALL

Mayor Owen called the meeting to order at 7:06 p.m.

Those also present: Mayor Pro Tem Wyatt, Councilmembers Marshall, Smith, Elackatt and Emery; Interim City Manager Mueller; City Attorney Kelley; and City Secretary Gonzalez. Absent: Councilmember Nguyen.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Clements High School NJROTC.

3. There were no **PRESENTATIONS AND RECOGNITIONS.**

4. There were no **PUBLIC COMMENTS.**

5. There were no **STAFF REPORTS.**

6. CONSENT AGENDA

(a) Consider approving the minutes of the **special and regular** City Council meetings of **November 7, 2011** and the special City Council meeting minutes of **November 14, 2011.**

(b) Consider authorizing the execution of the **property record transfer agreement** providing for the transfer from Fort Bend County to the City of Missouri City of a prime mover truck for use by the **Fort Bend County Regional Technical Rescue Team.**

(c) Consider acceptance of **quarterly investment report** for period ending September 30, 2011.

Councilmember Marshall moved to approve items 6a and 6c of the Consent Agenda pursuant to recommendations by City staff. Mayor Pro Tem Wyatt seconded. **MOTION PASSED UNANIMOUSLY.**

Assistant Chief Day presented an overview on the property record transfer agreement providing for the transfer from Fort Bend County to the City of a prime mover truck for use by the Fort Bend County Regional Technical Rescue Team.

Councilmember Marshall moved to approve item 6b of the Consent Agenda pursuant to recommendations by City staff. Councilmember Smith seconded. **MOTION PASSED UNANIMOUSLY.**

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) There were no Zoning Public Hearings and Ordinances.

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

(1) Public hearing to receive comments relating to the City of Missouri City **Citizen Participation Plan** relating to **Community Development Block Grant** funding and related reports and activities and consider adopting the citizen participation plan.

Public hearing opened at 7:13 p.m. Director of Development Services Smith introduced CDBG Consultant Peg Purser who spoke about the citizen participation plan. Councilmember Smith moved to close the public hearing at 7:26 p.m. Councilmember Elackatt seconded. **MOTION PASSED UNANIMOUSLY.** Councilmember Smith moved to adopt the citizen participation plan and Mayor Pro Tem Wyatt seconded. **MOTION PASSED UNANIMOUSLY.**

(2) Public hearing to receive comments relating to the **City of Missouri City Fair Housing Plan** related to the City's participation in **Community Development Block Grant** funding and consider adopting the fair housing plan.

Public hearing opened at 7:26 p.m. CDBG Consultant Peg Purser spoke about the fair housing plan. Ms. Purser recommended the City do a comprehensive review of the deed restrictions to ensure that they are non discriminatory. City Attorney Kelly stated it is recommended the City to do this review as a process to identify where there are impediments if any. If the City were to find discriminatory regulations in the deeds, it is their responsibility to report it to the pertinent HOA and recommend that they fix it. Mayor Owen suggested requiring the HOAs attorney to provide the City with a compliance letter and force them to review their own deed restrictions. Ms. Purser stated she can redact a letter of compliance for the City to send to the HOA boards. Councilmember Marshall moved to close the public hearing and adopt the fair housing plan at 8:03 p.m. on the second and final reading. Councilmember Smith seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Smith stepped away at 7:52 p.m. and returned at 7:54 p.m.

(3) Public hearing to receive comments for or against an ordinance continuing the rules and regulations pertaining to the **establishment of a minor curfew**; making certain findings; providing a penalty; and providing for severability; and consider an ordinance on the **first of two readings.**

Public hearing opened at 8:04 p.m. Councilmember Marshall moved to close the public hearing at 8:06 p.m. on the first of two readings. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

8. APPOINTMENTS

(a) Consider approving appointments to the **board of directors of reinvestment zone 3.**

Mayor Pro Tem Wyatt moved to appoint **Ron Lee** to Position 1, **David Reitz** to Position 3, **Marshall Whichard** to Position 5, and **Sharon Jurica** to Position 9 of the reinvestment zone 3 Board with term commencing December 3, 2011 and expiring December 3, 2013. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

(b) Consider approving appointment of the **chair** of the **board of directors of reinvestment zone 3.**

Mayor Pro Tem Wyatt moved to appoint **Ron Lee** as Chairman of the reinvestment zone 3 Board with term commencing December 3, 2011 and expiring December 3, 2012. Councilmember Smith seconded. **MOTION PASSED UNANIMOUSLY.**

9. AUTHORIZATIONS

(a) Consider authorizing the issuance of a permit for the conduct of a special event, **Community Show and Sell**, featuring a farmer's market, to be held on the first and third Saturdays of each month at and adjacent to **2601 East Cartwright, Suite E.**

Councilmember Emery moved to authorize the issuance of a permit for the conduct of a special event, **Community Show and Sell**, featuring a farmer's market, to be held on the first and third Saturdays of

each month at and adjacent to 2601 East Cartwright, Suite E. Mayor Pro Tem Wyatt seconded. **MOTION PASSED UNANIMOUSLY.**

(b) Receive report from **sidewalk committee** and consider authorizing staff to take action related thereto.

Interim City Manager Mueller presented a report from the sidewalk committee where the primary decision point is the root mitigation policy: so long as the adjacent property owner is responsible for root mitigation, but does not perform the work, the affected sidewalk will not be repaired regardless of how much funding is allocated. The majority of the committee felt that replacing sidewalks, where owners had not mitigated the root problem, with a crushed granite material or grinding uneven edges were acceptable alternatives for those situations.

Mayor Pro Tem Wyatt moved to adopt policy recommended by the sidewalk committee and staff to make noted changes for approval at the next City Council meeting. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Cathy Wicks, 5007 Cave Run, stated that sidewalks in good condition create a friendly environment and thanked Council for repairing the sidewalks in front of her home, but noted that she is not in support of a $33 million dollar bond to repair sidewalks.

(c) Consider authorizing the purchase of **public safety** and **firehouse equipment** through the **Local Government Purchasing Cooperative Buyboard.**

Mayor Pro Tem Wyatt moved to authorize authorizing the purchase of public safety and firehouse equipment through the Local Government Purchasing Cooperative Buyboard. Councilmember Marshall seconded. **MOTION PASSED UNANIMOUSLY.**

(d) Consider acceptance of Comprehensive Annual Financial Report.

Mayor Pro Tem Wyatt moved to accept of Comprehensive Annual Financial Report**.** Councilmember Elackatt seconded. **MOTION PASSED UNANIMOUSLY.**

(e) Consider authorizing the ratification of the execution of an **interlocal project agreement** between the City of Missouri City and Fort Bend County relating to the **reconstruction of Darby Lane**, **Mariposa Circle** and **Weston Ridge.**

Councilmember Emery moved to authorize the ratification of the execution of an interlocal project agreement between the City of Missouri City and Fort Bend County relating to the reconstruction of Darby Lane, Mariposa Circle and Weston Ridge. Councilmember Elackatt seconded. **MOTION PASSED UNANIMOUSLY.**

10. ORDINANCES

(a) Consider an ordinance of the City of Missouri City, Texas, **amending** Chapter 30, Environment, of the Missouri City Code; amending the rules and regulations relating to **junked vehicles**; providing for repeal; providing a penalty; providing for severability; and to **consider the ordinance on the second and final reading.**

Councilmember Marshall moved to approve an ordinance of the City of Missouri City, Texas, amending Chapter 30, Environment, of the Missouri City Code; amending the rules and regulations relating to junked vehicles; providing for repeal; providing a penalty; providing for severability; and to consider the ordinance on the second and final reading**.** Councilmember Smith seconded. **MOTION PASSED UNANIMOUSLY.**

11. RESOLUTIONS

(a) Consider a resolution of the City Council of the City of Missouri City, Texas, **adopting ethical and training standards for juvenile case managers** employed by the City of

Missouri City, Texas; providing for implementation of said standards; and providing for periodic review to ensure implementation of the requisite standards.

Councilmember Marshall moved to approve a resolution of the City Council of the City of Missouri City, Texas, adopting ethical and training standards for juvenile case managers employed by the City of Missouri City, Texas; providing for implementation of said standards; and providing for periodic review to ensure implementation of the requisite standards. Councilmember Smith seconded. **MOTION PASSED UNANIMOUSLY.**

(b) Consider a resolution of the City Council of the City of Missouri City, Texas, determining its vote for members of the **Board of Directors** of the **Fort Bend Central Appraisal District** for the term commencing on January 1, 2012, and extending through December 31, 2013.

Councilmember Marshall moved to approve a resolution of the City Council of the City of Missouri City, Texas, casting 50 votes for Lina Sabourni and 50 votes for Michael Sabourni as members of the Board of Directors of the Fort Bend Central Appraisal District for the term commencing on January 1, 2012, and extending through December 31, 2013. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

12. There were no **CITY COUNCIL ANNOUNCEMENTS.**

13. CLOSED EXECUTIVE SESSION

14. RECONVENE

15. ADJOURN

With no further action taken, the regular City Council meeting adjourned at 9:35 p.m.

ATTEST:

Allen Owen, Mayor

Maria Gonzalez, City Secretary