

ALLEN OWEN
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

CHRIS PRESTON
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, December 17, 2018**, at the City Hall, Council Conference Room, 2nd Floor, behind the Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:15 p.m.** to consider the following:

1. CALL TO ORDER

Mayor Owen called the meeting to order at 5:22 p.m.

Those also present: Councilmembers Edwards, Pearson, Boney, and Maroulis; City Manager Snipes, City Attorney Iyamu, Deputy City Secretary Berglund, Assistant City Manager Atkinson, Director of Economic Development Esch, Director of Communications Walker, Assistant Director of Public Works Brouhard, and Media Relations Specialist II Kalimkoottil. Councilmember Emery arrived at 6:10 p.m. Councilmember Preston arrived at 6:19 p.m. Also present: Frank Hester, Roy Gilbert, and Cory Stottlemeyer. Absent: City Secretary Jackson.

2. DISCUSSION/POSSIBLE ACTION

(a) Consider concurring with the appointment of a Financial Services Director.

City Manager Snipes presented on the appointment of a Financial Services Director. Staff recommended Allena Portis who served as the Director of Finance for League City.

Councilmember Maroulis moved to concur with the city manager's appointment of Allena Portis as the Financial Services Director. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

(b) Consider an order canvassing the returns of the Special Election held in the City of Missouri City, Texas, on December 8, 2018, for the purpose of electing a Mayor and Councilmember At-Large Position No. 2; declaring the election of a Mayor and a Councilmember At-Large Position No. 2; and consider the order on the first and final reading.

Councilmember Boney moved to approve the order. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

(c) Receive an update on City Park I, LLC; City Park II, LLC; City Park III, LLC; and City Park IV, LLC Texas Local Government Code Chapter 380 agreement.

Director of Economic Development Esch presented an update on City Park I, LLC; City Park II, LLC; City Park III, LLC; and, the City Park IV, LLC Texas Local Government Code Chapter 380 agreement.

(d) Discuss the annual City Council work sessions and budget prioritization retreat.

City Manager Snipes presented an overview of the upcoming annual City Council work sessions and budget prioritization retreat, which would be scheduled in January.

(e) Discuss the City Council recognition policy.

City Manager Snipes discussed current procedures regarding City Council recognition. Snipes suggested the policy be based on the currently employee recognition policy.

Councilmember Pearson moved to direct the city manager to create a City Council recognition policy based on the existing employee recognition policy and the draft that was presented. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

3. **CLOSED EXECUTIVE SESSION**

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 5:49 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: (i) Marie Sangria Carter v. City of Missouri City (Fort Bend County Cause Number 17-DCV-243678 in the 434th Judicial District of Fort Bend County, Texas); (ii) Creekmont Community Association, Inc. and Rena Marshall v. the City of Missouri City, Texas; et al. (Harris County Cause Number 2017-05988 in the 125th Judicial District of Harris County, Texas); (iii) Paul A. Kubosh v. Honorable Robert C. Richter, Jr., Judge, Municipal Court, Missouri City, Texas (Fort Bend County Cause Number 18-DCV-250081 in the 240th Judicial District of Fort Bend County) (iv) The City of Missouri City, Texas v. Third Coast Services, LLC (Fort Bend County Cause Number 18-DCV-252938 in the 458th Judicial District of Fort Bend County, Texas); (v) City of Missouri City, Texas v. Marilyn Pearl Weaver and 2211 Glenn Lakes Lane, Missouri City, in rem (Fort Bend County Cause Number 16-DCV-229145 in the 434th District Court of Fort Bend County); (vi) Nicholas Harper v. City of Missouri City, Mike Berezin, Greg T. Nelson, John Doe 1 (United States Southern District of Texas Cause Number 4:18-CV-01562); (vii) Luis Aida Matos v. City of Missouri City (Fort Bend County Cause Number 17-DCV-245053 in the 240th Judicial District Court of Fort Bend County, Texas).

Texas Government Code, Section 551.074 – Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee: city attorney.

4. **RECONVENE**

At 6:05 p.m., Council reconvened into open session.

Councilmember Emery made a motion to authorize the city manager to negotiate and execute a settlement agreement in an amount not less than \$48,862.78 to settle City of Missouri City v. Third Coast Services, LLC. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Boney made a motion to authorize the execution of a settlement agreement between the City of Missouri City and Ashton Houston Residential, L.L.C. and M/I Homes of Houston LLC for certain attorney's fees related to Creekmont Community Association, Inc. and Rena Marshall v. City of Missouri City, Texas, et al. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

5. **ADJOURN**

The special City Council meeting adjourned at 6:09 p.m.

ATTEST:

Yolanda Ford, Mayor

Maria Jackson, City Secretary