

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

CHRIS PRESTON
Mayor Pro Tem
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, April 15, 2019**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:30 p.m.** to consider the following:

1. CALL TO ORDER

Mayor Ford called the meeting to order at 5:32 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, Boney, and Maroulis; City Manager Snipes, First Assistant City Attorney Way, City Secretary Jackson, Assistant City Manager Atkinson, Director of Financial Services Portis, Municipal Court Administrator Rychlik, City Attorney Iyamu, Assistant City Attorney Santangelo, Deputy Court Administrator West, Budget and Financial Reporting Manager Alexander, Judge Sinclair, Judge Rosenberg, Media Relation Specialist III Kalimkoottil, and Media Relation Specialist III Sanders. Councilmember Emery arrived at 5:34 p.m.

2. DISCUSSION/POSSIBLE ACTION

- (a) Discuss and consider the negotiation and execution of a municipal court collection services contract.

Councilmember Edwards tagged the agenda item.

- (b) Consider and discuss the duties of the presiding judge of the City's municipal court and municipal court operations.

Municipal Court Administrator Rychlik presented. Mayor Ford asked if there had been any dissention between the judges. Rychlik stated not any that she was aware of but it would be a question the judges should answer. Councilmember Edwards asked if Rychlik met with the other judges to see where they stood on these decisions. Rychlik stated she did not but knew there were questions on what the role entailed and discussions were held over the last couple of years over inconsistencies and what it would take to resolve such matters. Councilmember Maroulis asked how duties were measured. Rychlik noted there was no recording mechanism and the only way to gauge such information would be to get feedback from staff and the judges on the processes.

Mayor Ford noted, that because the Court Administrator and Judges were separate, she asked Judge Sinclair if there was a way to minimize the inconsistencies with the case flow. Judge Sinclair stated she has worked with the Court Administrator to have a standing order but they cannot dictate how a judge handles a case. Sinclair noted judges have different styles on how they run their court and believed there were administrative procedures that should be developed.

Mayor Ford asked if Council would like to move forward with an ordinance for the presiding judge. Councilmember Maroulis stated that without the judges getting involved in the operations, he was not sure how he could chime in. Councilmember Boney stated the only thing he had to gauge was a memo from

Judge Sinclair and requested the other judges come and discuss before Council. Boney was not sure if he could take action. First Assistant City Attorney Way clarified Council would decide to direct staff to put together information to create an ordinance and not adopt an ordinance at this particular time.

Judge Sinclair stated the judges were not aware that Council needed additional information. She noted she has had discussions with the other judges and they understand and support the duties of the position. She stated she was not requesting to be in the position of power; however, she has been operating in the "gray" and, in her opinion, there needed to be a point person to be the consensus maker with the judicial staff.

Councilmember Boney asked what changed for there not to be clarification on the role of presiding judge. Judge Sinclair stated that in 2010 there was a dispute between the City Manager and the then presiding judge, in which the City decided to take away the duties of the presiding judge. Sinclair stated it was a personnel issue rather than a position issue and if they can separate personnel and duty issues, she believes they would be duly served.

Councilmember Pearson stated he has a better understanding of what needs to be done. Councilmember Boney would like to make sure all the judges were treated fairly. City Attorney Iyamu clarified the two other municipal court judges were not invited to attend as it was recommended Council keep the legislative and judiciary aspects separate. Councilmember Maroulis asked if the ordinance passed, how the case flow would be measured. Way stated they would look at how other cities were measuring it.

Councilmember Pearson moved to authorize staff to prepare an ordinance to review and discuss the duties of the presiding judge of the City's municipal court. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

- (c) Consider and discuss the City's board, committee, and commission member appointments and reappointments.

City Secretary Jackson presented an update on the board, committee, and commission members whose terms would expire on June 30, 2019, vacancies, and new candidates.

Mayor Ford recommended, for consistency purposes, that optional interviews be held for the new candidates and current members whose terms expired on June 30, 2019 for each board, committee and commission. Councilmember Emery stated that the City needed to emphasized to each new candidate and current board members who would not be available to attend the optional interviews, that it would not be held against them. Councilmember Pearson recommended that City Council move forward with interviewing new candidates only, not the current board, committee, or commission members. Councilmember Edwards disagreed and requested to interview all candidates as she had concerns some experienced members were not fully aware of their role or position. Mayor Ford requested that the City move forward with optional interviews for each new candidate and current board members as there were new City Councilmembers whom did not know them or their experience; however, not attending the interviews would not be counted against them.

City Secretary Jackson asked, for the current board members, if new candidate applications would be requested or if the City could determine if their original application were still on file. Councilmember Edwards stated the members experience may have changed and requested that they submit an updated application.

Councilmember Edwards moved to receive new applications and resumes for each applicant for City Council to interview. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Edwards asked if City Council could determine which interview questions to move forward with. Councilmember Pearson discussed attendance issues and how parameters would to be set. Mayor Ford noted there was a policy in place about absences.

Councilmember Edwards moved to adopt a set of questions for the interviews. Councilmember Maroulis suggested that City Council bring two questions to the interviews. Councilmember Edwards stated that could work, as she wanted to provide a sense of consistency. She agreed that City Council would bring two questions each to the interviews. Councilmember Emery stated that City Council needed to determine which questions to ask, so that repetitive questions would be avoided. Councilmember Maroulis stated that the questions asked during the last interviews worked out well.

Councilmember Edwards moved that City Council bring two questions each to the interviews. Councilmember Maroulis 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 6:13 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) 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); (ii) 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); (iii) 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); (iv) Ivy Kenneth Joy L. Miraflor and Josefina P. Serrano v. the City of Missouri City, Texas, and Yolanda Ford, in her official capacity as Mayor of the City of Missouri City, Texas (Harris County Cause Number 201920262- 7 in the 151st District Court of Harris County).

Texas Government Code, Section 551.074 – Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: the city secretary, the city attorney, and the city manager.

At 6:57 p.m., Councilmember Boney moved to recess the executive session until the after the regular City Council meeting. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

City Council reconvened the special City Council meeting at 7:47 p.m.

4. RECONVENE

At 10:22 p.m., Council reconvened into open session. No action was taken.

5. ADJOURN

The special City Council meeting adjourned at 10:23 p.m.

Maria Jackson, City Secretary