

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 AGENDA

The City Council of the City of Missouri City, Texas, met in special session on **Tuesday, May 26, 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 6:00 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, Director of Human Resources and Organizational Development Russell, Director of Communications Walker, Purchasing/Risk Manager Pleasant, and MCTV Producer Penalba.

Mayor Ford requested to go into closed executive session, at this time. Without objection, City Council proceeded to closed executive session.

3. CLOSED EXECUTIVE SESSION

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 6:02 p.m.

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 manager.

4. RECONVENE

At 6:35 p.m., City Council reconvened into open session.

2. DISCUSSION/POSSIBLE ACTION

- (a) Consider and discuss executive search firm services for the city manager position and an extension of the deadline for a community survey.

Mayor Ford addressed the executive search firm services and extension of the deadline for a community survey as the contract has not yet been finalized as of Thursday, May 21, 2020. City Attorney Iyamu provided a timeline and overview of events since the May 18, 2020 special City Council meeting where City Council moved to proceed with select services and a community survey by May 31, 2020.

Mayor Ford asked if the City would be able to extend the deadline for the community survey. City Attorney Iyamu stated a person from the prevailing side from the last meeting could make a motion regarding the matter; and, five (5) members of City Council agreed to suspend the rule to reconsider the deadline for the community survey. Mayor Ford asked if five (5) members do not vote in favor of the motion to reconsider, would the community survey expire May 31, 2020. City Attorney Iyamu confirmed.

Councilmember Emery requested clarification. City Attorney Iyamu stated the authorization for the community survey that was voted on during the May 18, 2020, special City Council meeting was to have the firm complete the community survey by May 31, 2020. As the City was still working through the contract with Baker Tilly, they have not yet started work on the community survey. Furthermore, as the City moves forward to complete the negotiations of the contract, there would only be a few days to complete if the contract was finalized before May 31, 2020.

Councilmember Sterling asked if there was a deadline for the services. City Attorney Iyamu stated no, as the previous motion noted a deadline tied to the community survey only.

Councilmember Emery stated he believed it was premature to establish a deadline first, before further information was gathered on processes by Baker Tilly. Councilmember Sterling agreed. Councilmember Boney added that current concerns were brought up during the May 18th special City Council meeting, as there was no contract in place. He requested no motions be made, at this time, until a contract was executed.

The Mayor asked if a contract was provided to the firm during the request for proposals (RFP) process. City Attorney Iyamu stated it was standard processes of the city to provide a contract template for vendors. She added that although a contract was not in place, authorization was given by City Council to Baker Tilly to proceed with the community survey by May 31, 2020.

Councilmember Boney asked if the contract template provided to the vendors was for full services. City Attorney Iyamu confirmed; and, noted that revisions were provided on May 19, 2020 to Baker Tilly based on action taken by City Council on May 18, 2020. Councilmember Emery asked if they responded to the revised contract. City Attorney Iyamu stated they responded on this day, May 26, 2020.

Councilmember Emery added that until we receive a contract back from Baker Tilly stating that they agree to move forward with the City for selective services, would it be prudent to move forward now. Purchasing/Risk Manager Pleasant stated that in her professional opinion, she would say no as the City does not have an executed contract yet. Mayor Ford added that she has spoken with Baker Tilly and they agreed to move forward with selective services. Councilmember Emery requested an acknowledgement, or something in writing, stating that they would move forward with the City.

Mayor Ford asked if there was a consensus to extend the community survey date. Mayor Pro Tem Preston stated he was in support of the date extension and believed the City could work through the outstanding or clarification concerns. Mayor Ford proposed the end of June. Councilmember Emery believed discussions should be made with Baker Tilly; and, have them recommend a reasonable pace. Mayor Ford stated that after her discussions with Baker Tilly, they placed the timeline in the hands of City Council.

Mayor Pro Tem Preston moved to extend the community survey until June 30, 2020. Councilmember Edwards seconded.

Councilmember Boney asked how the City would proceed if Baker Tilly would back away from the contract; and, would the community survey deadline still be in place with another firm. City Attorney Iyamu the City would authorize them to withdraw; and, the City could go back out for bid. Purchasing/Risk Manager Pleasant stated RFP's were valid for 180 days.

Councilmember Boney asked Purchasing/Risk Manager Pleasant if she believed the City should wait until a contract was secured, before moving forward. Purchasing/Risk Manager Pleasant stated that in her professional opinion, she believed the City should wait until a contract was executed.

Councilmember Boney asked if June 30, 2020 comes and nothing has taken place, what would be the next steps. City Attorney Iyamu stated nothing would occur. Councilmember Boney requested next steps if the contract was executed after May 31, 2020. City Attorney Iyamu stated City Council could request to add an item to the agenda, similar to today's agenda item.

Mayor Ford asked if the community survey deadline date was placed in the contract. City Attorney Iyamu responded no; however, City Council did move forward by majority vote with select services and a community survey by May 31, 2020 during the May 18, 2020 special City Council meeting.

Councilmember Maroulis asked if there was not an amendment to extend the deadline, would there be no community survey. City Attorney Iyamu stated if City Council did not extend the deadline this day with five in favor of the motion, City Staff members could place another item on a future meeting agenda to reconsider the item.

Mayor Pro Tem Preston moved to extend the community survey until June 30, 2020. Councilmember Edwards seconded. **MOTION FAILED.**

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

Nays: Councilmember Boney, Councilmember Maroulis and Councilmember Emery

Mayor Ford stated the motion failed as five (5) members of City Council needed to be in support of the motion in order for the date to be extended. City Attorney Iyamu asked if there was a request to place an item on the June 1st meeting agenda. No one spoke in favor of placing an item on the June 1st agenda.

5. **ADJOURN**

The special City Council meeting adjourned at 7:09 p.m.

Minutes PASSED AND APPROVED this the 1st day of June 2020.

Maria Jackson, City Secretary