

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, March 18 2019**, at the City Hall, Council Conference Room, 2nd Floor, behind the Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:45 p.m.** to consider the following:

1. CALL TO ORDER

Mayor Ford called the meeting to order at 5:54 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, and Boney; City Manager Snipes, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Fire Chief Campbell, Director of Financial Services Portis, Director of Communications Campbell, Community Relations Coordinator Matte, Media Relations Specialist III Sanders, Media Relations Specialist II Kalimkoottil, and Accounting Manager Taylor-Edwards. Councilmember Emery arrived at 5:55 p.m. Councilmember Maroulis arrived at 5:56 p.m. Also present: Chris Breaux, Whitley Penn Financial Advisor, and Frank Hester.

2. DISCUSSION/POSSIBLE ACTION

(a) Discuss the Fiscal Year 2018 Comprehensive Annual Financial Report (CAFR).

Financial Advisor Breaux presented the Fiscal Year 2018 Comprehensive Annual Financial Report.

(b) Consider and discuss the structure of the Census Complete Count committee.

Assistant City Manager Atkinson presented on the structure of the Census Complete Count committee.

Councilmember Emery asked for the makeup of the committee. Assistant City Manager Atkinson stated the fifteen-member committee would be representative of the City's demographic pertaining to religious denominations, educational and cultural backgrounds of the community. Mayor Ford suggested each district City Councilmember recommend three candidates and the at-large Councilmembers and Mayor would recommend one each.

(c) Consider and discuss contracts for the city's municipal court judges.

City Attorney Iyamu presented on the judicial contract amendments to the proposed contracts. City Council discussed and considered the following proposed amendments:

Requested Change No. 1, General Guidance, which would delete Sec. 1.B regarding annual meetings for broad, general guidance. City Council had no objections.

Requested Change No. 3, Treating others with fairness and respect, which would delete Sec. 2.C requiring judges to convey a sense of fairness and exhibit respect toward all persons.

Mayor Pro Tem Preston moved to keep the proposed contract wording and reject Requested Change No 3. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Requested Change No. 4, Responsiveness, which would delete language in Sec. 2.D requiring judge to respond “physically, verbally or electronically.” City Council had no objections.

Requested Change No. 5, Management, which would amend language in Sec. 4 providing that judge’s duties do not include management of administrative court personnel. City Council had no objections.

Requested Change No. 7, Word Choice, which would amend Sec. 4.C to change the word “pleasure” to “discretion.” City Council had no objections.

Requested Change No. 8, Compensation, which would amend Section 7 to change the hourly rate from \$95 to \$100. Mayor Ford requested that this request be considered during the Fiscal Year 2020 budget process.

Requested Change No. 9, Compensation (Training Allowance) that would change the training rate from \$250 a year to \$350 a year. Councilmember Maroulis requested that this request be considered during the Fiscal Year 2020 budget process.

Requested Change No. 11, Termination, would add language to Sec. 9 that requires the City to give the judge 30 days’ notice in advance of termination.

Councilmember Boney moved to reject Requested Change No. 11. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

3. **CLOSED EXECUTIVE SESSION**

Pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 6:44 p.m. regarding Texas Government Code Section 551.071.

4. **RECONVENE**

At 6:52 p.m., Council reconvened into open session.

Councilmember Pearson moved to reject Requested Change No. 2, removal, to add language in 1.C that a judge may only be removed or replaced for cause. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Boney moved to reject Requested Change No. 6, scheduling, to add language requiring the presiding judge to coordinate dockets and the assignment of judges to facilitate dockets. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Pearson moved to reject the Requested Change for No. 10, Complaints, which adds language to Sec. 9 providing that the Presiding Judge will be provided notice and copies of any complaints, oral or written, upon receipt of such complaint by the city or a city employee and the subject judge or the Presiding Judge will be copied on any request by the city for additional information from the complainant. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

- (d) Discuss the duties of the presiding judge of the city’s municipal court.

City Attorney Iyamu stated the City Council previously discussed the duties of its municipal court judges on May 1, 2017, January 28, 2019, and February 18, 2019. On March 12, 2019, City Manager Snipes, Assistant City Manager Atkinson, Municipal Court Director Rychlik and the Legal Division met with Judge Sinclair at her request. Judge Sinclair requested additional consideration of the duties of the presiding judge of the City of Missouri City Municipal Court. Mayor Ford stated additional time was needed to consider Judge Sinclair’s request and moved to address during the next City Council meeting.

- (e) Consider and discuss appointing directors for the Missouri City Parks Foundation.

City Manager Snipes presented an overview of the candidate’s biography.

Mayor Pro Tem Preston moved to appoint Tom S. Nichols, Harry Johnson, Sr., and Alice L. Aanstoos to the Missouri City Parks Foundation. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

(f) Receive an update regarding the hiring of a third party audit firm to review test of controls.

Mayor Ford requested that agenda item 2f be moved to another meeting. Councilmember Maroulis requested to convene after the regular City Council meeting. Councilmember Boney also requested to discuss agenda item 2f after the regular meeting.

The special City Council meeting recessed at 7:04 p.m. and reconvened at 7:43 p.m.

At 7:43 p.m., Mayor Ford left the meeting and Mayor Pro Tem Preston called the meeting to order.

City Manager Snipes presented an overview of hiring a third party audit firm to review test of controls with the pricing. He noted there was a consistency of pricing among the audit firms and the pricing ranged from \$10,000 to 15,000.

Mayor Pro Tem Preston moved to postpone agenda item 2f until the next City Council meeting. Councilmember Edwards seconded. **MOTION FAILED.**

Ayes: Mayor Pro Tem Preston and Councilmember Edwards
Nays: Councilmembers Pearson, Boney, Maroulis and Emery
Absent: Mayor Ford

Councilmember Boney stated the item was brought before Council as a pressing matter and suggested Council take action. Councilmember Maroulis felt confident with the current audit and did not see the need for another external audit. Councilmember Edwards believed agenda item 2f should be postponed as the Mayor was not in attendance. Edwards also expressed support in moving forward with a third party audit firm to conduct a full audit from an outside source. City Council expressed concerns as the agenda item was to review test of controls for checks that were issued. City Manager Snipes stated the City would have a new auditor for Fiscal Year 2019 from October 1, 2018 to September 30, 2019, which would include an audit of the checks. Councilmember Emery asked if new policies were in place to address similar issues in the future. City Manager Snipes confirmed there were new policies and procedures in place. Councilmember Pearson, Boney and Maroulis expressed confidence in the audit performed by Whitley Penn. Councilmember Edwards continued to express her support of moving forward with a third party firm to conduct a full audit and provide transparency to their constituents. Councilmember Boney stated his ultimate goal was transparency for the constituents and relied on City staff to do their job. City Manager Snipes stated City employees take transparency seriously and the Finance Department has been recognized the State Comptroller's office for many years.

Councilmember Maroulis moved to not move forward with the presented audit and implement the new procedures. Councilmember Pearson seconded. **MOTION PASSED.**

Ayes: Councilmembers Pearson, Boney, Maroulis and Emery
Nays: Mayor Pro Tem Preston and Councilmembers Edwards
Absent: Mayor Ford

5. **ADJOURN**

The special City Council meeting adjourned at 8:07 p.m.

ATTEST:

Yolanda Ford, Mayor

Maria Jackson, City Secretary