

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 MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, March 16, 2020**, 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 5:30 p.m.

Those also present: Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; City Attorney Iyamu, City Secretary Jackson, Interim City Manager Atkinson, Assistant City Manager Martel, Director of Financial Services Portis, Director of Human Resources and Organizational Development Russell, Director of Development Services Spriggs, Director of Communications Walker, Planning Manager Gomez, Media Specialist II Sanders, and Media Specialist II Kalimkootil. Mayor Pro Tem Preston arrived at 5:45 p.m.

2. DISCUSSION/POSSIBLE ACTION

- (a) Discuss Sienna 325, L.P.'s request to disannex approximately 34.16 acres of land for a residential development. The proposed area of disannexation is currently zoned SD suburban district with Specific Use Permit No. 193, providing for a temporary construction yard, and is located north of the Sienna Steep Bank Village residential subdivision, south of McKeever Road, east of Sienna Parkway, and west of Westpoint Estates residential subdivision. The proposed area of disannexation is designated for suburban commercial uses on the Future Land Use map of the Comprehensive Plan.

City Attorney Iyamu stated on an item which pertained to a request the City received from Sienna 325, L.P. for the disannexation of 34.16 acres of land for a residential development. Iyamu noted the land was zoned for commercial purposes and the landowner would like to sell it for residential purposes. The proposed timeline was noted and the City would move forward as presented, unless directed otherwise. Alvin San Miguel of Johnson Development provided an overview on the proposal of the anticipated 185 lots. He stated he would hope to start construction between July and August.

- (b) Discussion regarding user fee recommendation.

Director of Financial Services Portis spoke about the user fee recommendations. Dennis Goral of Willdan presented an overview of the user fee study. Mayor Ford requested when the last time fees were increased. Goral stated fees had been increased minimally over the years but for some fees, it had been about nine years. Ford asked the amount of developers that attended the meeting pertaining to the fee study. Director Portis stated a total of fifteen had been invited and six had attended. Councilmember Emery asked if any additional revenue would be brought with the increase. Director Portis noted if the volume was to stay the same then there would be \$100K revenue for commercial and fire permits. Councilmember Boney asked when the last user fee study was performed and when was this one requested. Director Portis stated it had not been done before and they started working on the current request in 2018. Interim City Manager Atkinson noted fees had been reviewed in the past but not with a cost analysis.

- (c) Discuss the procurement of executive search firm services for the position of the city manager.

Director of Human Resources and Organizational Development Russell presented an overview of City Council's discussion regarding the procurement of executive search firm services for the position of the city manager. Russell noted once review of executive search firms was completed, Council would select top three firms to present their proposal to City Council. Council would then vote on the firm to conduct the city executive search; and, such firm would provide Council with timelines of the process to select city manager. Staff recommended City Council take action to utilize an executive search firm for the city manager's position through a request for proposal and interview process.

Councilmember Sterling asked if they could do the search process in house before going through an RFP process. Russell stated City Council would have to provide him with the requirements for that position. He noted the department did not specialize in that key of a position for the work that was involved and the process in selecting the individual. Councilmember Sterling believes this falls within the purview of the Human Resources and Organizational Development department.

Councilmember Boney stated that based on budget conversations, other things on the horizon, limited resources, and the director stating he does not have the bandwidth to do this process, what was the Interim City Manager's recommendation to use a firm. Atkinson noted firms know of candidates that may be looking or that would match the community's personality. Atkinson also outlined the responsibilities of the department along with the timeframe and stated it would be difficult for them to carry out the search in addition to everything they were working on. Councilmember Boney asked if an online notice had been posted. Russell stated it was briefly online as an advertisement but because City Council had not made a motion, it was removed. Interim City Manager Atkinson requested a motion by City Council.

Councilmember Maroulis moved to hire a search firm for the position of the city manager. Councilmember Boney seconded.

Councilmember Edwards asked if staff did not have the results or documentation from the 2015 City Manager search. Atkinson stated the firm would have that documentation. Russell stated they did not have all the information available but they did have the brochure.

Mayor Pro Tem Preston requested a closed executive session. City Attorney Iyamu stated there was a motion on the table.

Councilmember Maroulis and Councilmember Boney moved to withdraw their motions.

At 6:31 p.m., Mayor Pro Tem Preston requested an executive session under section 551.07. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

At 6:38 p.m., City Council reconvened into open session.

Councilmember Maroulis moved to hire an executive search firm for the city manager's position through a request for proposal and interview process. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

Mayor Pro Tem Preston asked for City Council to receive applications submitted while a search firm was hired. Interim City Manager Atkinson stated they provide information based on what they see out in the market and bring that back at the next City Council meeting in the interim of getting RFP.

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

City Secretary Jackson presented on the City's board, committee, and commission member appointments and reappointments. City Council requested that City Staff members reach out to the members whose terms were up for reappointment to determine who would like to continue to serve. Council also requested that names be provided to the City Secretary of residents interested in serving on the Charter Review Commission. Jackson stated she would provide Council with an updated during the second meeting in April.

3. **CLOSED EXECUTIVE SESSION**

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 6:52 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) Mitchell Carter v. City of Missouri City, et al.(Fort Bend County Cause No. 19-DCV-265905 in the 458th District Court of Fort Bend County, Texas and Cause No. 19-DCV-265895 in the 268th District Court of Fort Bend County, Texas; (ii) 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 201975796 in the 234th District Court of Harris County); and (iii) Jerry Flowers & Linda Flowers vs. Trent Williams, Missouri City, Texas, & the Manors Property Owners Association, Inc. (Cause No. 20-DCV-270180 in the 400th District Court of Fort Bend 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 manager, city attorney, and city secretary.

City Council recessed the special City Council meeting at 6:59 p.m. for the regular City Council meeting.

At 8:10 p.m., City Council reconvened the special City Council meeting closed executive session to consider Texas Government Code, Section 551.074.

4. **RECONVENE**

At 9:16 p.m., City Council reconvened into open session.

Councilmember Maroulis moved to adjust interim City Manager salary by 30-percent. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

5. **ADJOURN**

The special City Council meeting adjourned at 9:17 p.m.

Minutes PASSED AND APPROVED this the 6th day of April 2020.

Maria Jackson, City Secretary