

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, May 4, 2020**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:00 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 5:00 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, Assistant City Manager Martel, Director of Financial Services Portis, Director of Human Resources and Organizational Development Russell, Director of Communications Walker, Purchasing/Risk Manager Pleasant, Media Specialist II Sanders, and MCTV Producer Penalba. Also present: Susan Anderson, Valley View Consulting; Jason Morado, ETC Institute; Chuck Rohre and Edward Williams, Baker Tilly; Jennifer Fadden and Doug Thomas, SGR; and, Sarah McKee, GOVHR USA.

2. DISCUSSION/POSSIBLE ACTION

- (a) Discuss and consider accepting the quarterly investment report for the quarter ending on March 31, 2020.

Director of Financial Portis introduced Susan Anderson of Valley View Consulting. Anderson presented the quarterly investment report for the quarter ending on March 31, 2020.

Councilmember Emery moved to accept the quarterly investment report for the quarter ending on March 31, 2020. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Boney, Councilmember Maroulis and Councilmember Emery
Nays: None

- (b) Presentation of the ETC Institute 2020 Missouri City Community Survey.

Interim City Manager Atkinson presented an overview on the process of the 2020 Missouri City Community Survey. Jason Morado of ETC Institute presented the results of the survey.

- (c) Presentations by potential executive search firms for the position of the city manager.

Director of Human Resources and Organizational Development Russell and Purchasing/Risk Manager Pleasant presented the top three executive search firms. Manager Pleasant stated each firm would have 20 minutes to present their proposal and City Council would have 15 minutes to ask any follow-up questions.

City Council received presentations from Chuck Rohre and Edward Williams of Baker Tilly; Jennifer Fadden and Doug Thomas of SGR; and, Sarah McKee of GOVHR USA.

Mayor Ford asked for a motion to recess the special City Council meeting and begin the regular City Council meeting. Councilmember Boney stated the Missouri City Development Authority (MCDA) meeting had several items that were to appear on the regular City Council meeting agenda and asked if they should have that meeting before the regular City Council meeting. City Attorney Iyamu noted there was no requirement for the items on the MCDA meeting to be taken up first. Councilmember Maroulis agreed with Councilmember Boney in having the MCDA meeting prior to the regular City Council Meeting.

At 7:37 p.m., Councilmember Boney moved to recess the special City Council meeting. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

At 9:28 p.m., City Council reconvened the special City Council meeting.

Director Russell provided a summary of the agenda item. Councilmember Maroulis stated that all interviews were good however, he preferred SGR. Councilmember Sterling stated all presentations have the same procedures. Sterling noted the City had done all the legwork and asked if they needed a firm to do everything they have to offer or if they could limit the scope. Director Russell stated that staff had not advertised the position fully and that an extensive vetting process would include more than what they would be able to do when it comes to background checks and social media searches. He noted a firm would be beneficial as they specialize with this type of service and it would be an investment for the City as a whole.

Councilmember Sterling asked if they were use SGR, could they select the service they actually need as they do not need all their services. Mayor Ford stated they could vote on Councilmember Maroulis' motion. Councilmember Boney stated he respectfully disagreed with Councilmember Sterling, as he believes they have not done all the legwork in order to vet candidates properly. Boney stated he was pleased with all three of the firms. He noted the the firms had their own databases in which they could choose candidates from and not limit themselves. Boney stated if they voted to hire an executive search firm then they must do so as the City paid out over \$300K to terminate the previous City Manager's contract.

Councilmember Maroulis noted SGR had a newsletter that reached about 50K subscribers and were ranked the second largest job board. Councilmember Emery noted SGR candidates come from their internal databases and they stated they would also take applications Council received and run them through the same process. In his opinion, they have not done all the vetting needed to not need an executive search firm.

Mayor Pro Tem Preston stated Baker Tilly stood out for him. Mayor Ford asked that anyone they choose take the management assessment the firms offered and believed firms should not be utilized for the entire search as they have already received candidates from all over the United States. Ford addressed the comment about wasting \$300K on the termination of the City Manager. She stated it was not true in her opinion because there was mismanagement of \$50K and a contract that went over the limits of approval. Mayor Ford then called for a vote.

Councilmember Boney asked for a point of order, as he would like to keep discussion going. Mayor Ford noted she had called for a vote. City Attorney Iyamu stated that in accordance to Robert's Rules of Order, if there was a member that would like to discuss the items, then discussions must proceed unless there was a majority that would like to move forward with the vote.

Councilmember Boney stated the interest of the \$50K that went back into the account happened in 2013. Director of Financial Services Portis noted the interest payment was set to begin in 2014 upon payment and the reimbursements were to start on January 1, 2016. Boney stated the hot taxes agenda item to be voted on from the last meeting was a decision made by the employee and not the City Manager. He stated the decision to terminate the City Manager was made by a majority of the City Council, which caused residents over \$300K. Boney wanted it to be clear that using an executive search firm was not a waste of tax dollars. Mayor Ford stated they look at the mismanagement of funds and the number that it would cost the citizens would be much more.

Councilmember Maroulis moved to proceed with SGR as the executive search firm for the position of the city manager. Councilmember Emery seconded. **MOTION FAILED.**

Ayes: Councilmember Boney, Councilmember Maroulis, and Councilmember Emery

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

Councilmember Sterling moved to proceed with a selection of services as requested by City Council with Baker Tilly. Mayor Pro Preston seconded. **MOTION PASSED.**

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

Nays: Councilmember Boney, Councilmember Maroulis, and Councilmember Emery

(d) Consider authorizing staff to contact certain city manager applicants for additional screening.

Mayor Ford placed the item on the agenda to get an agreement on how applicants who had applied would be screened. Ford stated they had collected applications from over 50 candidates and have reviewed most of those. She noted there was a desire to move forward with screening top five candidates.

Councilmember Emery moved to allow the search firm only to do all of the screening of the applicants. Councilmember Boney seconded. **MOTION FAILED.**

Ayes: Councilmember Boney and Councilmember Emery

Nays: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, and Councilmember Maroulis

Councilmember Edwards moved to authorize staff to contact City Council's top five City Manager candidates as determined by the submission of candidate's names by the Mayor and each City Councilmember to the HR director for additional screening between May 8-15. Staff would need to provide those candidates' names by end of business day on May 6.

Director Russell asked if they had the top five names and how would that process work. Councilmember Edwards stated each City Councilmember would send their top five candidates by noon May 5. The top five candidates who get the most votes should be sent to Council by May 6. Councilmember Sterling asked if that list was supposed to be submitted to City Secretary Jackson last week and noted she had done so. Mayor Ford that was not correct, as they were not able to get a consensus. Councilmember Boney requested to submitted all candidates, as he does not have only five.

City Attorney Iyamu stated if there was going to be a determination, she recommends the submission occur at an open meeting. Mayor Ford asked if Director Russell would be the one to determine the top five from their submissions. Iyamu stated Director Russell would be essentially taking a vote from City Council at a public meeting. Her conservative recommendation would be to have him collect and make a determination during an open meeting. Councilmember Sterling concurred with Iyamu. Iyamu stated they may collect Council's information at the beginning of the special City Council meeting and the item could be considered at the end of the meeting. Iyamu was concerned with how others would perceive how the tally was made. Mayor Ford stated they would schedule a special meeting.

Councilmember Emery stated he did not want to arbitrarily select who the top five candidates were to HR which he believed should go through the search firm. Councilmember Boney asked what selective services were to be used by the search firm. Mayor Ford stated if any of those top five candidates they screened were of interest to them, they would then send them to the search firm. The contract in place with Baker Tilly was so that they were all on the same page on services.

Director Russell asked if it would be a good idea to have a contract in place with Baker Tilly with the services they were to provide to the City so that everyone would be on the same page. City Attorney Iyamu recommended they post the item for discussion on the next City Council meeting for services desired by Baker Tilly. Mayor Ford stated they would utilize a firm as needed and does not want to box in specific services from the firm. Iyamu stated that staff would need to negotiate an a la carte list of services with the search firm.

Councilmember Emery asked what was additional screening and who would perform it. Mayor Ford stated Council would do the screening. Ford stated the City Attorney asked Council to reconvene so that Director Russell may tally the votes. Councilmember Edward asked if they would publically tally the votes and if there would be a problem with releasing their identities. Mayor Ford stated Director Russell could call the top five and announce them during an open meeting. Mayor Ford asked if Iyamu would get an opinion from TML, as she would like to make sure the applicants were notified prior to their names being released in public.

Councilmember Edwards moved to authorize staff to contact City Council's top five City Manager applicants as determined by the submission by the Mayor and each Councilmember to the HR director for additional screening between May 8-15; and, staff would need to provide those candidate's names by end of business day on May 8. Councilmember Sterling seconded. **MOTION PASSED.**

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

Nays: Councilmember Boney, Councilmember Maroulis, and Councilmember Emery

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

City Secretary Jackson presented an overview on the City's board, committee, and commission member appointments and reappointments. Mayor Ford asked that this agenda item also be placed on the May 8 special City Council meeting agenda.

3. **ADJOURN**

The special City Council meeting adjourned at 10:34 p.m.

Minutes PASSED AND APPROVED this the 18th day of May 2020.

Maria Jackson, City Secretary