

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 MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Monday, October 19, 2020**, at the City Hall, Council Chamber, 2nd Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **7:00 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. **ROLL CALL**

Mayor Ford called the meeting to order at 7:01 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; City Manager Jones, City Attorney Iyamu, and City Secretary Jackson.

2. The **PLEDGE OF ALLEGIANCE** was led by Planning Manager Jennifer Thomas Gomez.

There were no **PRESENTATIONS AND RECOGNITIONS**.

4. **PUBLIC COMMENTS**

Sohrab Gilani, 3519 Moss Trail Drive, recognized the Missouri City Fire and Police Departments. He explained that while at a community gathering, he collapsed and was rushed to emergency services. Gilani stated Greg Ybarra and other firefighters provided him with medical assistance. He also recognized Councilmember Maroulis for his quick action.

Shima Jalalipour, Legal Counsel for Fort Bend County MUD No. 48, spoke on action taken at the September 8, 2020 special meeting. She expressed concerns on behalf of the board on awarding this contract to Quail Valley who was the highest vendor. Jalalipour asked that City Council reconsider the proposal.

Donna Giblin, Board President of Fort Bend County MUD No. 48, stated she was on the committee and expressed her concerns as she felt the City had already made up their mind on who they were to choose and felt their time was wasted. Giblin would appreciate if they would look into this more.

Bruce Zaborowski, 7915 Chancel Drive, gave thanks to all Missouri City employees. He feels they should all have protection and saw the need for all cities to have civil service protection. Zaborowski gave special thanks to City Secretary Jackson, Administrative Assistant Wilkins, Animal Shelter Manager Goffney, and Utilities Manager Hoover for their responsiveness.

5. **STAFF REPORTS**

Fire Chief Campbell presented the Annual Report.

6. CONSENT AGENDA

- (a) Consider approving the minutes of the special and regular City Council meetings of October 5, 2020.
- (b) Consider an ordinance directing the mayor to release the City of Missouri City's interest in a drainage easement located north of Highway 6, south of Trammel Fresno Road, east of Fort Bend Parkway, and west of a Houston Lighting and Power Company easement; and to consider the ordinance on the second and final reading.

Councilmember Edwards moved to approve the Consent Agenda pursuant to recommendations by City Staff. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

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

There were no **Zoning Public Hearings and Ordinances.**

7. PUBLIC HEARINGS AND RELATED ACTIONS

(b) Public Hearings and related actions

- (1) Public hearing on Program Year 2019 Annual Action Plan Amendment, Community Development Block Grant-CARES.

Community Development Coordinator Moore presented the Program Year 2019 Annual Action Plan Amendment, Community Development Block Grant-CARES.

Councilmember Boney moved to open the public hearing at 7:50 p.m. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

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

With no public comments, Councilmember Boney moved to close the public hearing at 7:51 p.m. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

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

Councilmember Boney moved to authorize the use of funds as specified and to forward the Community Development Advisory Committee amendments to the United States Department of Housing and Urban Development. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

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

There were no **APPOINTMENTS.**

9. AUTHORIZATIONS

- (a) Consider awarding contracts for 2021 employee benefits.

Director of Human Resources and Organizational Development Russell requested authorization for the City Manager to award contracts for the 2021 employee benefits. Councilmember Maroulis thanked Director Russell and Shawn J. Koch, with HUB International Limited, for a great presentation during the special City Council meeting and noted the great savings the City would obtain.

Councilmember Maroulis moved to award contracts for 2021 employee benefits as recommended by City staff. Councilmember Sterling. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

- (b) Consider authorizing the purchase of a new street sweeper truck.

Fleet Superintendent Tubbs presented on the purchase of a new street sweeper truck, which would help improve the appearance of city streets.

Councilmember Edwards asked about the life span of a sweeper truck. Tubbs stated it was of about 8-10 years depending on how well it was taken care of.

Councilmember Emery asked how they would schedule the second truck and what locations of the City it would serve. Tubbs stated the intent was to use it during the day. Director of Public Works Kumar stated it would complement the service of the sweeper truck they had and serve as a backup.

Emery asked if a development would like to acquire the services of the sweeper, could they do so. Kumar stated they had a sweeping schedule; and, when they receive requests, they would perform additional sweepings.

Councilmember Emery moved to authorize the purchase of a new street sweeper truck. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

- (c) Consider authorizing the purchase of replacement vehicles Fiscal Year 2021.

Fleet Superintendent Tubbs presented on the purchase of nine replacement vehicles for Fiscal Year 2021. He noted that all nine vehicles would be purchased under co-op.

Councilmember Emery moved to authorize the purchase of replacement vehicles Fiscal Year 2021. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

- (d) Consider authorizing the purchase of two new vehicles for the Fire Marshal's office.

Fleet Superintendent Tubbs presented on the purchase of two new vehicles for the Fire Marshal's office. He noted the vehicles would be utilized by full-time employees, such as inspectors and investigators from the Fire Marshal's office.

Councilmember Edwards moved to authorize the purchase of two new vehicles for the Fire Marshal's office. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

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

- (e) Consider authorizing the execution of an amendment to the strategic partnership agreement with Sienna MUD No. 1 for the provision of fire protection services.

City Attorney Iyamu presented on the amendment to the strategic partnership agreement with Sienna MUD No. 1 for the provision of fire protection services.

Councilmember Emery moved to authorize the execution of an amendment to the strategic partnership agreement with Sienna MUD No. 1 for the provision of fire protection services. Councilmember Edwards seconded. **MOTION PASSED.**

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

- (f) Consider authorizing the mayor to sign the Fort Bend Business Parkway Phase 2 final plat.

Planning Manager Thomas Gomez presented on the Fort Bend Business Parkway Phase 2 final plat.

Mayor Pro Tem Preston moved to authorize the mayor to sign the Fort Bend Business Parkway Phase 2 final plat. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

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

10. ORDINANCES

- (a) Consider an ordinance annexing Sienna Municipal Utility District Numbers 1, 5, 6, and 7 for the limited purpose of providing fire protection services; and consider the ordinance on the first of two readings.

City Attorney Iyamu presented on the annexation of Sienna Municipal Utility District Numbers 1, 5, 6, and 7 for the limited purpose of providing fire protection services.

Councilmember Boney moved to adopt the ordinance. Councilmember Edwards 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) Consider an ordinance amending Chapter 2, Administration, of the Missouri City Code; providing rules of ethics for the Mayor, Councilmembers, the city manager, the city attorney, and the city secretary; and establishing an ethics commission.

City Attorney Iyamu presented on the ordinance requested by Councilmember Boney. She noted that since the last presentation of the ordinance, Councilmember Boney asked that the City Manager, City Secretary, and City Attorney be added to the provisions and the jurisdiction of the proposed ethics commission.

Councilmember Boney moved to adopt the ordinance. Councilmember Sterling seconded.

Councilmember Edwards noted that Fort Bend County had an ethics commission and asked if Iyamu had received feedback on neighboring cities. Councilmember Edwards added that creating an ethics commission would be redundant. Iyamu clarified that the county had a Public Integrity Unit which addressed state law violations by public officials and employees. She added that other municipalities that have commissions in place were from the City of Sugar Land and the City of Baytown.

Mayor Ford asked if she had information on the cost of outside counsel for the ethics commission. Iyamu stated the City Attorney represents the City and depending on the violation, the City Attorney or the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) could provide legal services. She noted that this item provided for an independent attorney to look into matters.

Mayor Ford asked if the City were to hire outside counsel to investigate and they find something unethical, would the City Attorney defend such Councilmember. Iyamu stated that depending on the allegation, the City Attorney may represent the Councilmember. However, if it were an action outside of the scope, the City Attorney would not represent City Council but instead represent the City.

Mayor Ford asked if this item was identified in the budget. City Manager Jones stated no.

Councilmember Sterling asked if the City Attorney would represent City Council apart from her normal duties. Iyamu stated that was correct, assuming the interests were aligned.

Mayor Ford believed more thought should be placed on this matter as well as the allocation of funds.

Councilmember Maroulis asked about other cities commission selection process. Iyamu stated some cities selected residents while others appoint their Councilmembers to review claims. She stated she would provide Council a chart of selection criteria as well as any additional information they may need.

Councilmember Sterling stated she thought there was a conflict of interest and would need more information.

Councilmember Emery asked which city had the criteria of not selecting anyone who had contributed to a Councilmember's campaign. Iyamu stated she would identify each provision required by each city that she searched. Emery asked about the committee being able to research previous years. Iyamu stated she would provide which city had that provision, as well.

Councilmember Sterling withdrew her second, as she needed further information.

Councilmember Boney asked if there was money allotted for legal services. Iyamu stated there were limited funds for potential litigation. Boney stated he wanted to make it clear there were funds set aside for legal services that may arise.

Councilmember Boney noted the proposed ordinance was presented on September 9, 2020, where it was Council who stated they needed more time, and they have now had over month to analyze the document and ask any questions. Boney stated he wanted to have something in place where they could hold the City to the highest standards of ethics and if needed, they could make changes later.

Mayor Pro Tem Preston stated that modification on a later date would not be ideal and should get it right out the gate. He noted there were questions that still needed answers and he did not feel comfortable supporting this measure, at this time.

Councilmember Boney stated Council voted on items in the budget presentation where details were not provided and he did not understand why they could not vote on the matter that involved no money.

Councilmember Maroulis requested an amendment to Sec. 2-171., Established; composition; term of members, b (2), from within the three years prior to appointment to four years prior to an appointment.

Councilmember Boney moved to adopt the ordinance with an amendment to Sec. 2-171, b(2). Councilmember Maroulis seconded. **MOTION FAILED.**

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

11. RESOLUTIONS

- (a) Consider a resolution authorizing the submission of grant application through the Texas Parks and Wildlife Department for the enhancement of outdoor recreation programs.

Recreation Superintendent Browne presented on the grant application process through the Texas Parks and Wildlife Department for the enhancement of outdoor recreation programs. He noted it was a non-matching grant and if awarded, the Texas Parks and Wildlife Department would reimburse the City up to \$15,000.

Councilmember Maroulis moved to approve the resolution. Councilmember Sterling 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) Consider a resolution authorizing the submission of the Click It or Ticket Grant application.

Recognition & Compliance Program Coordinator Murray presented on the submission of the Click It or Ticket Grant application. She noted the requested amount of the grant was \$4,950 with a 20% match from the City, totaling \$1,237.50. Murray stated these funds would come from fringe benefits.

Councilmember Sterling moved to approve the resolution. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

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

Nays: None

12. CITY COUNCIL ANNOUNCEMENTS

Mayor Pro Tem Preston stated he was appalled by the comments made during agenda item 10b and that some members would like to rush through the item. He also acknowledged October as "Breast Cancer Awareness Month."

Councilmember Edwards acknowledged October as "Breast Cancer Awareness Month" and encouraged residents to vote.

Councilmember Sterling stated she worked with State Representative Ron Reynolds on distributing food and Personal Protective Equipment (PPE).

Councilmember Boney encouraged residents to exercise their right to vote. He also express sentiments and disappointment that City Council has a double standard on how it relates to items with limited information.

Councilmember Emery encouraged residents to exercise their right to vote. He also wanted to get the word out on grants available for small businesses and residents through the CARES Act.

13. ADJOURN

The regular City Council meeting adjourned at 8:52 p.m.

Minutes PASSED AND APPROVED this the 2nd day of November 2020.

Maria Jackson, City Secretary