

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, November 16, 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 7:00 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 Assistant City Manager Glen Martel.

There were no **PRESENTATIONS AND RECOGNITIONS, PUBLIC COMMENTS** or **STAFF REPORTS**.

6. **CONSENT AGENDA**

- (a) Consider approving the minutes of the regular City Council meeting of November 2, 2020.
- (b) Consider an ordinance amending PD, Planned Development District No. 23, Ordinance O-08-28, to allow for the location of a pawn shop; regulating and restricting the development and use of property within such PD Planned Development District; providing for an amendment to the Comprehensive Plan; providing a penalty; and consider the related ordinance on the second and final reading. The subject site is located at the southwest intersection of Oilfield Road and State Highway 6.
- (c) Consider an ordinance for a specific use permit authorizing the use of an approximate 34.66-acre tract of land zoned CF community facilities, in part, and R-2 single family residential district, in part to allow for the location of an aboveground pump station for Fort Bend County Municipal Utility District No. 46; and consider a related ordinance on the second and final reading. The subject site is a drainage facility owned and maintained by Fort Bend County Municipal Utility District No. 46 at the southeast intersection of Oilfield Road and Thompson Ferry Road and extending south of the Colony Lakes residential subdivision to State Highway 6, north of the Elkins High School campus and the Riverpointe Church (RPC) Missouri City campus.
- (d) Consider authorizing the execution of the Traffic intelligent transportation systems ("ITS") services contract.
- (e) Consider authorizing the execution of the Traffic On call maintenance services contract.
- (f) Consider authorizing the execution of the Highway Six Traffic Signal Coordination Study contract.
- (g) Consider authorizing the Park 8 Ninety Incentive Agreement payment.

- (h) Consider authorizing staff to purchase personal protective equipment (“PPE”) to distribute to senior citizens using Coronavirus Aid, Relief and Economic Security (“CARES”) funding.

Councilmember Edwards moved to approve the Consent Agenda pursuant to recommendations by City Staff. Councilmember Emery 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, Public Hearings and related actions, or APPOINTMENTS** on this agenda.

9. AUTHORIZATIONS

- (a) Consider authorizing the execution of a contract for pavement maintenance.

Assistant Director of Public Works Brouhard presented on pavement maintenance. He noted the City typically uses one contractor; however, staff has proposed the needed of an additional contractor. He stated they would put a crew in each of the districts. Councilmember Edwards asked if they had any previous issues with the contractor. Brouhard stated Brooks had been a great contractor whom the City has worked with for several years. He stated GCI would be a new contractor and would get them involved on how the City does things. He noted it would be a one-year contract with the option to renew. Councilmember Sterling commended Brooks Concrete and the Public Works Department for the fantastic job in District A. Councilmember Maroulis praised Brooks Concrete for their work and being a good vendor.

Director of Public Works Kumar thanked them for the compliments and noted they allocated double the funding for pavement maintenance because of the list of projects were growing. Kumar stated they believed that one contractor could not complete these in a timely matter, which was why they brought on a second contractor. Councilmember Emery asked how they would be stationing the contractors. Brouhard stated they would be stationing a crew from each contractor in each district. Emery asked if the projects they place priority on would be coming from the evaluation that was performed. Brouhard stated that was correct.

Councilmember Edwards moved to authorize the execution of a contract for pavement maintenance. 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 authorizing the execution of a contract for sidewalk maintenance.

Assistant Director of Public Works Brouhard presented on a contract for sidewalk maintenance and noted there was additional funding allocated for Fiscal Year 2021. He stated they intent to have two crews from each contractor in each of the districts.

Councilmember Emery moved to authorize the execution of a contract for sidewalk maintenance. 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

- (c) Consider accepting various conveyances of right-of-way to the City for the Knight Road Extension Project by authorizing the Mayor to sign the deeds conveying the needed tracts of land to the City.

Director of Public Works Kumar presented an overview on the various conveyances of right-of-way to the City for the Knight Road Extension Project. He stated they needed additional roadway to complete the project, which was why they were working on acquiring land. Assistant City Attorney Quintal stated he had met with different landowners to obtain additional land, which would be 17 tracts of land. He noted 14 landowners accepted the City's offer through a settlement. One owner has given the City permission by way of right-of-entry, and the City has filed an eminent domain lawsuit against the owner of the last two tracts of land. Councilmember Emery asked how the value was established for each parcel. Quintal explained the City hired a certified real estate appraiser with experience in appraising property for governmental agencies acquiring properties for various projects. He stated offer letters went out to the landowners based on the values, and the majority accepted the offer as is.

Councilmember Emery moved to accept various conveyances of right-of-way to the City for the Knight Road Extension Project by authorizing the Mayor to sign the deeds conveying the needed tracts of land to the City. 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 execution of a contract for plan review, project management and inspection services related to a public safety facility.

Director of Public Works Kumar presented an overview of a contract for plan review, project management and inspection services related to a public safety facility. He stated the contract has expired and the City intends to use services for Fire Station No. 6.

Councilmember Boney moved to authorize the execution of a contract for plan review, project management and inspection services related to a public safety facility. 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

- (e) Consider authorizing the creation of the Payroll Protection Program ("PPP") as component of the Coronavirus Aid, Relief and Economic Security ("CARES") Act Small Business Program and the allocation of funds from the CARES Act to fund such program.

Assistant City Manager Atkinson presented an overview on the creation of the Payroll Protection Program ("PPP") as component of the Coronavirus Aid, Relief and Economic Security ("CARES") Act Small Business Program. He went over the criteria and noted the grant maximum would be up to \$20,000.

Councilmember Emery asked how they determined to use \$1.7 million of the \$2 million in this program. Atkinson stated it was estimated on 86 businesses but noted not every applicant would be eligible for the full \$20,000.

Councilmember Boney thanked staff for the reports. He asked if pending applicants would qualify to ensure the funds were used by the deadline. Gilbert Martinez, MPACT Consulting, stated they should meet the deadline as initial setup has been taken care of for the applicants.

Councilmember Boney asked if they would be able to hit the target number of 86 businesses. Atkinson clarified it was \$20,000 for the PPP and \$20,000 for RMU, with a total of \$40,000 they could qualify for.

Councilmember Maroulis asked if a business had not been opened for the entire year of 2019, could those businesses qualify if there were funds left over. Martinez clarified they would have to be open as of March 2019 to qualify for the assistance. Spurgeon Robinson stated they could evaluate to see how many businesses it would affect and possibly change the policy. City Manager Jones suggested Council authorizing staff to look into Councilmember Maroulis' suggestion because of the timeframe. Atkinson clarified that if an applicant received a grant from a different source, they could not receive a grant from these for the same period. Boney thinks they should stick to what they have already communicated to business owners and then revisit the issue later. Maroulis stated he would like to look at the data before they make an amendment to the motion. Boney asked when there was a major change to the program, if staff could communicate it to City Council. Mayor Ford asked if they were running against a deadline in getting these funds to the business owners. Atkinson stated they purposely set the date in early December to get information in and funds dispersed out soon. Jones stated it would be helpful to have additional flexibility to meet the deadline.

Councilmember Boney moved to authorize the creation of the Payroll Protection Program ("PPP") as component of the Coronavirus Aid, Relief and Economic Security ("CARES") Act Small Business Program and the allocation of funds from the CARES Act to fund such program. 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

10. ORDINANCES

- (a) Consider an ordinance amending the general budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020; transferring various appropriations among accounts; appropriating supplemental revenue to various fund accounts; authorizing the appropriate city officials to take steps necessary to accomplish such transfers; making certain findings; containing certain provisions relating to the subject; and consider the ordinance on the first and final reading.

Director of Financial Services Portis presented on the final budget amendment for Fiscal Year 2020. Councilmember Sterling commended staff for a great job.

Councilmember Sterling 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 42, Floodplain Management, of the Missouri City Code; providing for an updated flood insurance study for Fort Bend County; amending certain provision in accordance with recommendations of the State coordinating agency; providing

for repeal; providing a penalty; providing for severability; and consider the ordinance on the first of two readings.

Assistant City Engineer Davis stated the City received a letter from FEMA outlining the Flood Insurance Rate Maps (FIRM) revisions within Fort Bend County. FEMA recommended updating the City Ordinance to change the existing FIRM effective date from April 14, 2014 to January 29, 2021, based off the most recent Flood Insurance Study performed by FEMA. In addition, the Texas Water Development Board (TWDB) suggested some revisions as well.

Councilmember Emery moved to adopt the ordinance. 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

- (c) Consider an ordinance continuing the rules and regulations pertaining to the establishment of a curfew for minors as provided in Chapter 70 of the Missouri City code; making certain findings; providing for repeal; providing a penalty; providing for severability; and consider the ordinance on the first of two readings.

Police Chief Berezin presented an overview on the juvenile curfew ordinance. He noted 2017 was last time the ordinance was adopted by Council and recommended they do so again.

Councilmember Boney moved to adopt the ordinance. 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

11. RESOLUTIONS

- (a) Consider a resolution authorizing the publication of the notice of intention to issue City of Missouri City, Texas certificates of obligation in a principal amount not to exceed \$13,000,000 for the construction of public works and a fire truck and any items related thereto and for the payment of contractual obligations for professional services; authorizing the distribution of a preliminary official statement relating to such certificates; and containing other provisions relating thereto.

Director of Financial Services Portis presented on the publishing of a notice of intent to issue certificates of obligation in a principal amount not to exceed \$13 million for the construction of public works and a fire truck. Councilmember Emery asked if the professional services pertained to Fire Station No. 6 and Mustang Bayou projects. Portis stated the projects were included in the list of projects as well anything related to the bond.

Councilmember Edwards 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 selecting a representative and an alternate to the Houston- Galveston Area Council 2021 Transportation Policy Council.

Director of Public Works Kumar presented on the appointment of city staff representatives to the Houston-Galveston Area Council committees.

Councilmember Boney moved to approve the resolution. Councilmember Emery 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 a resolution selecting a representative and an alternate to the Houston-Galveston Area Council 2021 Technical Advisory Committee.

Councilmember Boney 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 reminded everyone about the runoff election.

Councilmember Edwards thanked the residents of Missouri City for allowing her to serve again; and, encouraged everyone to vote in the runoff election.

Councilmember Sterling congratulated Councilmember Edwards on her re-election. She also thanked City Manager Jones and Director Spriggs for meeting with her about redevelopment.

Councilmember Boney gave a shout out to Missouri City residents for coming out to vote.

Councilmember Emery encouraged residents to exercise their right to vote during the runoff election.

Mayor Ford reminded everyone to wear their masks, wash their hands and social distance. She wished everyone a Happy Thanksgiving and encouraged everyone to limit his or her gatherings.

13. ADJOURN

The regular City Council meeting adjourned at 8:17 p.m.

Minutes PASSED AND APPROVED this the 7th day of December 2020.

Maria Jackson, City Secretary