

ROBIN J. ELACKATT
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

LYNN CLOUSER
Councilmember at Large Position No. 2



CHERYL STERLING
Councilmember District A

JEFFREY L. BONEY
Councilmember District B

ANTHONY G. MAROULIS
Mayor Pro Tem

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, February 15, 2021**, at the City Hall, Council Chamber, 2nd Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:30 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 Elackatt called the meeting to order at 5:30 p.m.

Those also present: Mayor Pro Tem Maroulis, Councilmembers Clouser, Sterling, Boney, and Emery; City Manager Jones, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Assistant City Manager Martel, Acting Fire Chief Partida, Director of Communications Walker, Director of Human Resources and Organizational Development Russell, Director of Parks and Recreation Mangum, Acting Director of Development Services Thomas Gomez, and City Forester Wierzbicki. Also present: Jordan Reisman, Aaron Kitch, Ashley Bedell, and Joey Huberts of the Garrett Companies. Councilmember Edwards arrived at 6:35 p.m.

2. DISCUSSION/POSSIBLE ACTION

- (a) Consider authorizing the establishment of the Missouri City Small Business Advisory Committee.

City Attorney Iyamu presented an overview on the establishment of the advisory committee. She noted Councilmember Clouser proposed that a Small Business Advisory Committee be formed of 15 members represented by all four districts in the City.

Councilmember Emery asked if businesses that were recipients of the CARES reimbursement program were excluded. Iyamu stated they would be according to the proposed requirements but that City Council may choose to revise the proposed requirements.

Councilmember Boney asked for more clarity to the statement of "review and suggest proposals and provide input as it pertains to small businesses in Missouri City." Councilmember Clouser stated the purpose of the committee was to have small businesses get together to discuss their needs and issues and that the City may assist.

Mayor Pro Tem Maroulis asked how often the committee would meet. Clouser stated the members would decide on how often they would meet but believes they should meet monthly at the moment. Boney noted he read that meetings would be held on a quarterly basis so they may need to amend that. Iyamu clarified the minimum requirement was to meet quarterly but could change to monthly if desired. Clouser requested to keep language loose so that the members could decide when to meet based on their needs. Councilmember Sterling suggested keeping it to state quarterly and allow them to change it later.

Councilmember Edwards asked how concerns of the small businesses not on the committee would be vetted. Clouser stated she would get with legal to see how everyone could present their concerns. She noted the point persons would be on the committee, but would not shut out any businesses. Iyamu stated they could put in language to have open meetings on occasion to allow for input. Clouser asked if the chair could be the point of contact. Iyamu stated they could do that.

Councilmember Emery restated that businesses who received CARES funds would be excluded. Clouser stated they do not want any conflict so the businesses who received the funds would be eligible but would not be able to apply for assistance moving forward. Sterling stated she does not agree with penalizing anyone who already received funds. Iyamu noted the wording has included preventing members making recommendations and then benefitting from them. City Manager Jones suggested not excluding businesses and having a member exclude themselves if there was a conflict of interested. He also suggested having open meetings in order to hear recommendations from other businesses. Iyamu noted this was an advisory committee so it was not subject to the Texas Open Meeting Act but Council may require them to be subject to it. Jones recommended having the committee subject to the act.

Edwards asked on how Councilmember Clouser recommend reaching out to the businesses. Clouser stated they would work with the Communications Department to work out in the field, produce a video and flyers. Emery suggested using the same model to get the word out as they used for the CARES act. Boney suggested amending Section 4 and asked about the timeframe of the committee. Clouser stated the establishment of the committee would be ongoing. Boney asked if Section 4 could be modified. Iyamu stated it could be reworded to take the law out that the City Manager referenced.

Councilmember Boney moved to approve the Small Business Advisory Committee relative to changes being made to section 4.

Mayor Elackatt noted City Council might need additional time to review after amendments were made. Sterling agreed with Mayor. Boney stated he could withdraw if Council needed more time. Clouser stated that in hearing Council's thought process she believed more time was needed to gather additional information.

Councilmember Boney moved to withdraw his motion.

Councilmember Boney stated small businesses needed attention and asked if the item would be on the next agenda. Mayor Elackatt stated it could be. Iyamu listed revisions suggested to present at the next meeting.

(b) Consider appointing municipal court judges.

Assistant City Manager Atkinson presented an overview on the process to appoint municipal court judges. He noted City Staff members requested which information was needed for Council to move forward with appointing the municipal court judges.

Mayor Pro Tem Maroulis moved to use the same process as last time. Councilmember Sterling seconded.

Discussion ensued and Mayor Pro Tem Maroulis moved to withdraw his motion.

City Attorney Iyamu stated the last time Council received information on the three judges and the City did not open up the process for new judges.

Councilmember Emery asked if they would have a discussion with the current judges on if they want to move forward. Atkinson stated staff did not ask as they were waiting on direction from City Council.

Councilmember Boney discussed the four staff recommendations which were to: take no action, reappoint current judges, direct staff to put out an announcement or request qualifications for judges for the next term, or direct staff to take some other action determined by Council. He asked if there was deadline for the decision. Iyamu stated the judge's term end on April 1, 2021 and Council has 90 days from that date to reappoint or appoint new judges.

Mayor Pro Tem Maroulis moved to move forward with the three appointed judges. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Elackatt, Mayor Pro Tem Maroulis, Councilmember Edwards, Councilmember Clouser, Councilmember Sterling, Councilmember Boney, and Councilmember Emery
Nays: None

- (c) Discuss the Garrett Companies on the development of The Echelon at Sienna, a multifamily residential development in partnership with the Fort Bend County Housing Finance Corporation.

Interim Director of Development Services Thomas Gomez presented on the requested letter of support to the Garrett Companies. Jordan Reisman asked if City Council would like to move forward with the same presentation.

Councilmember Clouser asked if they had received their certificate to do business in Texas. Thomas Gomez stated they had.

Councilmember Emery noted development was in the City's ETJ and exempt from ad valorem taxes but asked if they were annexed would they still be exempt. Reisman stated as long as they had a partnership, they would be exempt from real estate taxes.

Councilmember Boney asked if the City did not submit a letter of support would they still move forward with the development. Reisman stated that was correct but they would like to have the City's support, if possible.

Reisman added that they would like to know if they had the City backing, as the FHC would like the support before investing substantial dollars. Boney noted that although this was in the City's ETJ, would the project come before them for ultimate approval. Iyamu noted there was no requirement for Council to act on this for approval as the allocation of the use of the land was already provided for in a contract. Resimsan stated the contract provided for community support and without the approval, FHC might not continue the project without such support.

City Manager Jones inquired if this was initially a planned for retail site. Thomas Gomez stated the area identified for mixed use includes both commercial use and multi-family use. Councilmember Emery asked if the project did not pass through the Planning Zoning Commission, what safe guards do the design and architectural standards have in conformance with either Sienna or City standards. Thomas Gomez stated the property was still subject to the Sienna Development agreement, the Sienna MUD and such regulations the area adopted for the purpose. Ashley Bedell stated they were still in early design stages and had not submitted them to the Sienna Housing Development Association but had meetings with them to ensure they were building to standards.

Mayor Elackatt asked if they needed to make a decision today. Iyamu stated that legally they did not need to make a decision today. Thomas Gomez stated they were seeking a resolution on if Council would provide a support as they move forward with the sale of the land.

Mayor Elackatt requested for a motion. No motion was made.

- (d) Discuss the possibility of placing a temporary moratorium on certain code enforcement activity to allow small businesses the use of select signage.

Interim Director of Development Services Thomas Gomez let Councilmember Boney provide an overview. Councilmember Boney stated the item was to consider the placement of a temporary moratorium on the enforcement of sign regulations for the duration of the COVID-19 pandemic. A moratorium could pertain to certain temporary signs including but not limited to banners, feather flag signs, window signs and other like sign types that may assist in the promotion and marketing of small businesses that continue to be impacted due to the pandemic. Thomas Gomez presented an overview on sign regulation enforcement and possible actions to take.

Boney reiterated that small businesses have discussed this and were in need of support from the City in all capacities. He did suggest monitoring on the amount of signs being placed at each location. Mayor Pro Tem Maroulis inquired if they would anticipate problems with HOAs. Thomas Gomez noted that if Council moved forward, staff would reach out to the properties as the City's regulations apply for City enforcement. Maroulis stated he was in favor of this for the period of four to six months. Councilmember Sterling requested they check with HOAs first. Thomas Gomez stated they could bring back this item with further information as an ordinance. Councilmember Emery stated he liked the idea and asked to not to allow bandit signs and continuing to keep that as a strong sign regulation.

Councilmember Clouser asked if businesses would have to go through a permitting process. Thomas Gomez stated they could be exempt from permitting. Clouser recommended that the permitting process be waived. Thomas Gomez stated she would make revisions and bring back to City Council.

(e) Presentation of the Parks Department Forestry Management Plan.

Director of Parks and Recreation Mangum presented an overview on getting accreditation through the Parks and Recreation Agency. City Forester Wierzbicki presented on the Parks Department Forestry Management Plan. He explained the plan listed all locations under their jurisdiction and the schedule of pruning and care they were on.

At 7:01 p.m., City Council recessed the special City Council meeting.

At 8:13 p.m., City Council reconvened the special City Council meeting.

3. CLOSED EXECUTIVE SESSION

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 8:13 p.m.

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.

4. RECONVENE

At 9:17 p.m., City Council reconvened the special City Council meeting. No action was taken

5. ADJOURN

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

Minutes PASSED AND APPROVED this the 1st day of March 2021.

Maria Jackson, City Secretary