



STATE OF TEXAS
COUNTY OF FORT BEND
STATE OF TEXAS

The City Commission for the City of Richmond, Texas met in Regular Session on August 20, 2018 at 4:32 p.m.

Mayor Moore proceeded to call the meeting to order at 4:32 p.m. A quorum was present, with the following members in attendance:

Evalyn W. Moore, Mayor
Terry Gaul, Commissioner P1
Barry Beard, Commissioner P2
Carl Drozd, Commissioner P3
Josh Lockhart, Commissioner P4 - **Absent**
Terri Vela, City Manager
Gary Smith, City Attorney
Laura Scarlato, City Secretary

Mayor Moore introduced agenda item A2, Excuse from Attendance. There were no absences to discuss, therefore the agenda item was closed.

Agenda item A3, Presentations with Employee Recognition for Service with the City.

Elisa Martinez, 5 years of service, Police Department. Present.
Ramon Morales, 5 years of service, Police Department. Present.

Accepting the Award for the Distinguished Budget for FY 2017-2018 for the 9th consecutive year from the Government Finance Officers Association "GFOA" was Maritza Salazar, Finance Manager. This award is the highest form of recognition in governmental budgeting and represents a significant achievement by the City of Richmond.

Accepting the Award for the Proactive Water System for 2018 was Utilities Coordinator Scott Fajkus, Water Department and Facility Services Superintendent Mike Moody, Wastewater Department. The award is presented by the Texas Commission on Environmental Quality for public water systems that have used creative and effective ways to improve their operations, achieve compliance, or better serve their customers.

Mayor Moore introduced agenda item A4, there were five individuals signed up to speak, all concerning agenda item A5, therefore the Mayor deferred them to speak during the Public Hearing for agenda item A5.

Mayor Moore introduced agenda item A5 the Public Hearing to receive comments for or against a request by Joseph Mandola and George Woodley to rezone 84.25 acres of land from Mixed Use (MU) to General Residential (GR) and to the extent the zoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. The subject site is located on the south side of U.S. Highway 90A. It is a large tract of land within the boundary of Hennessy Road, Edgewood Drive, and Damon Street. It is abutting single-family residential to the east, west, and south; and commercial to the north.

David Taylor, 419 Edgewood Dr., Richmond, Texas 77406
Marcelle Slovak, 411 Edgewood Dr., Richmond, Texas 77406
Cora Lou Hennesey, 402 Edgewood Dr., Richmond, Texas 77406
Patricia Sepulveda, 703 Hennesey, Richmond, Texas 77406
Victoria Martinez, 207 Damon Street, Richmond, Texas 77406

The citizens' concerns addressed the potential flooding for the property, drainage issues due to the Brazos River banks collapsing during past flooding, and the building of future levees and the effects on their properties. Asked to define the term Mixed Use in the UDC. They expressed their concerns for traffic with additional development. The general consensus was there needs to be a flood mitigation plan before any development. The public hearing was closed

Mayor Moore asked if there was any discussion regarding agenda item A6, the Consent Agenda. There were no items pulled for discussion. Commissioner Beard moved to approve the Consent Agenda items with Commissioner Gaul seconding the motion and the vote was unanimous to approve.

Agenda item A7, to discuss the Proposed Tax Rate, Record Vote on FY 2018 Proposed Tax Rate and Schedule the Public Hearings. (September 4th and September 10th). Finance Director Susan Lang addressed the City Commission providing a Tax Rate Presentation. The City's commercial property values represent 64% versus 36% that are residential properties. The benefit of commercial property is two-fold, receiving property taxes and sales tax from commercial which also requires less services. Director Lang also stated that because the tax rate is proposed at less than the effective tax rate there will no longer be a need for the two public hearings for the tax rate (Sept 4 or Sept 10). There has been an 11% decrease in the property tax rate since FY 2011-12. There were no questions but Commissioner Beard congratulated staff on continuing to work on driving down the rate even with the natural catastrophes, they should be commended. City Manager Vela stated the rate was lowered even with a 2% increase in tax exempt properties. Commissioner Drozd made the motion to propose a property tax rate of \$0.6999 which will raise less property taxes than last year's budget by

\$96,666, which is a 2.73% decrease, and of that amount, \$12,194, is tax revenue to be raised from new property added to the tax roll this year. Commissioner Beard seconded the motion and the recorded vote was as follows:

Mayor Moore -	Yes	Commissioner Beard -	Yes
Commissioner Drozd-	Yes	Commissioner Gaul -	Yes
		Commissioner Lockhart-	Not Present

Agenda item A8, Mayor Moore introduced the Budget Workshop on Proposed Revenues for the Fiscal Year 2018-19. Finance Director Susan Lang provided a power point presentation to the Commission reflecting the combined revenue sources for the past three fiscal years. Those sources being taxes, water and sewer sales, fines and fees and interfund transfers. Over the past 11 years, the exempt, personal, commercial and residential assessed property values have been increasing. The average home values have been increasing which is a favorable thing. The property tax rate has decreased 11% since FY 2011-12. The City (75%) shares a portion of the sales tax revenue with the Development Corporation of Richmond (25%) as voted on by the citizens. The Utility Fund Revenue Sources are the water collections, sewer collections, service fees and surface water, with the largest being water collections at 42%. The City maintains a rate that is two levels below the highest rating an entity can achieve with Standard and Poor's of AA- which it is very proud to report. There were no questions.

Agenda item A9, review and consider taking action on Resolution No. 237-2018. Appointment of Parks and Recreation Board Member. City Manager Terri Vela stated that board member Steve Host, position 1 resigned therefore, it is necessary to appoint an individual to the position. Mayor Moore appointed Timothy Walker to serve out the remaining term through July 20, 2019 for position 1. There were not oppositions from the Commission, the appointment was approved.

Agenda item A10, to review and consider taking action on Resolution No. 238-2018, Appointment of Zoning Board of Adjustment Board Members. City Manager Terri Vela stated the term of Michael Scherer, position 3 expired on July 20th and has expressed a desire to continue to serve on the board. There is also an alternate position open that needs to be filled. Mayor Moore reappointed Michael Scherer to position 3 and appointed Harold J. Mathis, Jr. to serve as the alternate with both terms serving through July 20, 2020. There were no oppositions from the Commission, the appointments were approved.

Mayor Moore introduced agenda item A11 to review and consider taking action on Ordinance No. 2018-11, text amendments to the Unified Development Code to revise certain regulations pertaining to signage, fences, building form and design, accessory buildings and structures, landscaping, and administrative reviews. City Planner Jose Abraham was present to provide the background to the text amendments and the proposed changes. There are eight sections to be amended to enhance subject regulations so that the applications can yield desirable development outcomes

while minimizing any undue burden on the developer/business owner. These refinements have been brought forward based on experience from working with the code for a few years and seeing the deficiencies commented Commissioner Gaul. Commissioner Beard stated that his assumption would be that Planning would continue to make changes. Commissioner Beard made the motion to approve Ordinance No. 2018-11, text amendments to the Unified Development Code to revise certain regulations pertaining to signage, fences, building form and design, accessory buildings and structures, landscaping, and administrative reviews. Commissioner Gaul seconded the motion with 3 “ayes” and no “nays” to approve. The agenda item was closed.

The agenda item A12, to review and consider taking action on Ordinance No. 2018-14 to consider the request by Joseph Mandola and George Woodley to rezone 84.25 acres of land from Mixed Use (MU) to General Residential (GR) and to the extent the zoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. The subject site is located on the south side of U.S. Highway 90A. It is a large tract of land within the boundary of Hennessy Road, Edgewood Drive, and Damon Street. It is abutting single-family residential to the east, west and south; and commercial to the north. City Planner Jose Abraham addressed the Commission providing the background of the property of the agenda item. City Planner Abraham first defined “Mixed Use” for the citizens, as mixed use includes multifamily and retail. City Manager Vela reiterated to the public that this does not reflect an approval of a project, only the change in zoning for the 84.25 acres. Commissioner Gaul stated the change in zoning would mean a move toward less traffic, also the change would make it more difficult to build an apartment complex or commercial in the area. Commissioner Drozd echoed the difference of mixed use and general residential with the former being apartments, hotels, commercial and the latter being single family, garden homes or townhomes thus the rezone being a positive change. Commissioner Beard stated the rezone is merely a template for future development which is better for the community. Commissioner Drozd made the motion to approve Ordinance No. 2018-14 to rezone 84.25 acres of land from Mixed Use (MU) to General Residential (GR) and to the extent the zoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. Commissioner Gaul seconded the motion and the vote was three “ayes” and no “nays” to approve.

Mayor Moore introduced agenda item A13, to review and consider taking action on the Replat of Lakes of Williams Ranch, Section 1 Partial Replat No. 5 – 1.5034 acres of land, 4 Lots and 1 Block. City Planner Jose Abraham addressed the Commission stating that staff recommends the approval of the Replat with the three conditions indicated in the packet. There being no questions, Commissioner Beard made the motion to approve the Replat of Lakes of Williams Ranch, Section 1 Partial Replat No. 5 – 1.5034 acres of land, 4 Lots and 1 Block with Commissioner Gaul seconding the motion. There were 3 “ayes” to approve and no “nays”.

Mayor Moore introduced agenda item A14, to review and consider taking action on the Replat of Block 2 West End Addition, 0.579 acres of land, 4 Lots and 1 Block. City Planner Jose Abraham presented the background of the property stating originally it was not in compliance with the UDC at 5 Lots and was disapproved on April 16, 2018. It was disapproved due to Lot size not reaching the minimum size of 6,000 square feet as required by the UDC. Staff is recommending approval now because the Lots have been replotted to 4 Lots and with respect to the seven conditions, planning feels confident will be met by the property owner. Commissioner Drozd made the motion to approve the Replat of Block 2 West End Addition, 0.579 acres of land, 4 Lots and 1 Block. Commissioner Gaul seconded the motion with 3 "ayes" and no "nays".

Agenda item A15, to review and consider taking action on Ordinance No. 2018-12, an inclusion in the City of Richmond Extraterritorial Jurisdiction (ETJ) for 626 Joerger Cumings Road, Rosenberg, Texas or also known as an 11.674 acre tract of land, being the original Joe A. Schmidt Share No. 1 recorded in Volume 488, page 481 of the deed records of Fort Bend County, Texas, off of the East end of the original call Frank Schmidt 62.498 acre tract recorded in Volume 69, Page 419 of the Deed Records of Fort Bend County, Texas in the William Andrews League, Abstract 3, Fort Bend County, Texas, as requested by Laura Scarlato. City Planner Jose Abraham stated that the property is predominantly is located in the City of Richmond's ETJ with 0.08 acre in the City of Rosenberg's ETJ. The petitioner on May 7, 2018 submitted a petition to the City of Rosenberg and obtained a release on June 19, 2018 (Ordinance 2018-21). Staff is recommending to approve the inclusion of the 0.08 acre of land in the City of Richmond's ETJ. Commissioner Beard made the motion to approve Ordinance No. 2018-12, an inclusion in the City of Richmond Extraterritorial Jurisdiction for 626 Joerger Cumings Road, Rosenberg, Texas with Commissioner Gaul seconding the motion. The vote was unanimous to approve.

Mayor Moore introduced agenda item A16, to review and consider taking action on Ordinance No. 2018-13, amendments to Chapter 28, Article III, Driveway, Sidewalk, Culvert Construction or Repair Policy and Regulations. Public Works Director Howard Christian provided the background and the need for the Ordinance amendments. Commissioner Beard inquired as to the language and if it was a zoning ordinance. City Attorney Gary Smith stated to approve with deletions to paragraphs removing the words zoning. Commissioner Gaul made the motion to approve Ordinance No. 2018-13, amendments to Chapter 28, Article III, Driveway, Sidewalk, Culvert Construction or Repair Policy and Regulations. Commissioner Beard seconded the motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A17, to review and consider taking action on Resolution No. 239-2018, appointment of Municipal Court Judge and consideration of Municipal Court Judge Contract. Tabled to discuss during Executive Session.

Mayor Moore announced that the Commission would now meet in Executive Session at 5:35 p.m., as authorized by Texas Government Code Section 551.071, Consultation with

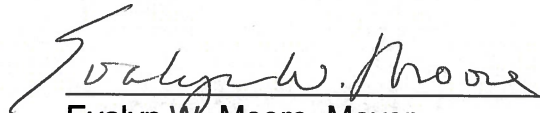
Attorney and Section 551.074, Personnel Matters. Mayor Moore announced that the City Commission adjourns into executive session, closed meeting.

The Commission reconvened into Open Session at 6:00 p.m.

Commissioner Beard made the motion to approve Resolution No. 239-2018, appointment of Municipal Court Judge and the Municipal Court Judge Contract with Phyllis Ross containing language relating to magistrate judge being combined with a 50 hour cap. Commissioner Drozd seconded the motion and the vote was 3 "ayes" and no "nays".

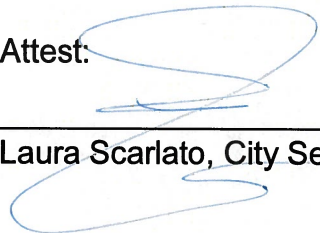
With no further business to discuss, Mayor Moore declared the meeting adjourned at 6:01 p.m.

APPROVED:



Evalyn W. Moore, Mayor

Attest:



Laura Scarlato, City Secretary