



STATE OF TEXAS  
COUNTY OF FORT BEND  
STATE OF TEXAS

The City Commission for the City of Richmond, Texas met in Regular Session on June 17, 2019 at 4:30 p.m.

Mayor Moore proceeded to call the meeting to order at 4:30 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  
Alex BeMent, Commissioner P4  
Terri Vela, City Manager  
Gary Smith, City Attorney  
Laura Scarlato, City Secretary

The Mayor proceeded to make the following presentations for agenda item A2 Employee Recognition for Service with the City of Richmond:

- David Childs, 10 years of service, Police Department ~ Present
- Bryan Lewis, 15 years of service, Fire Department ~ Present
- William Young, 15 years of service, Fire Department ~ Present

There was a presentation by Lori Bownds, Building Official, Albert Cantu, Fire Marshal and Curtis Campbell, Lead Inspector on the Significant Changes of the 2015 International Codes in comparison to the Adopted 2012 IBC. The codes are adopted every 3-4 years and they provide safety guides for the citizens. Lori Bownds stated they have taken a year to update because of the different code books and layers within the International Building Codes (i.e. plumbing, electrical, fire, mechanical, etc.) Most of the significant changes have been to the fire code which were provided in a handout and reviewed as well by Albert Cantu. Commissioner Gaul inquired as to the process that was undertaken to achieve the changes. Curtis Campbell stated they look at a community as a whole and then make the codes conform to the City of Richmond. Making it "tailored" to the City of Richmond and its needs. This code edition is a better fit for today's development practices and provides greater flexibility over our current codes. Albert Cantu stated the codes are written due to someone being hurt or loss of life in the past. The Commission will review the handouts and have more questions at the next presentation.

Presentation on the Annual Fine and Fee Collection Report by Perdue, Brandon, Fielder, Collins and Mott LLP. This item was postponed until a later date.

Agenda item A3, Public Comments, was opened and there were two individuals signed up to speak:

- Karina Thompson, 6011 Carnaby Lane, Rosenberg, Texas 77471 – Item A11, spoke on behalf of the residents of Kingdom Heights subdivision. Ms. Thompson reiterated the comments from previous meetings of the opposition of the residents toward the development of the Providence replat of 17.0336 acres of land. The replat is not what was represented to the residents in the overall plan in the beginning and what is stated on the website. The residents appealed to the Commission to not approve the replat.
- Herman Brown, 712 Mabel Lane, Richmond, Texas 77469 – Spoke regarding his property taxes increasing and the valuation of his home. Also, the need for sidewalks in his neighborhood.

There being no other public comments, the agenda item was closed.

Agenda item A4, Public Hearing to receive comments for or against a request by Brady Kathamattathil to rezone an approximate 2.203 acre tract of land from General Residential (GR) to General Commercial (GC) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located on the west side of Douglas Street, south of Preston Street, east of Collins Road, and north of the Union Pacific Railroad. Subject property is abutting Collins Plaza to the west along Collins Road. No one commented, therefore the agenda item was closed.

Agenda item A5, Public Hearing to receive comments for or against a request by Valdemar Reyes to rezone an approximate 0.210 acre tract of land from General Commercial (GC) to General Residential (GR) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located at 106 Riveredge Drive. Subject site is abutting residential properties on the north and south side along Riveredge Drive. No one commented, therefore the agenda item was closed.

Mayor Moore introduced Agenda item A6, asking if there was any discussion regarding the Consent Agenda. Commissioner Beard pulled item A6 (2), Mayor Moore pulled item A6 (10).

Commissioner Beard made the motion to approve the remaining Consent Agenda items with Commissioner Gaul seconding the motion. The vote was unanimous to approve.

A6 (2). Fire Department Report. Commissioner Beard commended the code enforcement officer report for the "Every Second Counts" Program. He stated how important it is for homes to have the numbers on them to be identifiable for first responders.

A6 (10). Meeting Date. Mayor Moore set the next meeting date for July 22<sup>nd</sup>, 2019 which is the 4<sup>th</sup> Monday of the month instead of the 3<sup>rd</sup> Monday of the month.

Commissioner Beard made the motion to approve Consent Agenda items A6 (2) and A6 (10) with Commissioner Gaul seconding the motion. The votes were unanimous to approve.

Agenda item A7, review and consider taking action on a replat of a portion of a Reserve "A", "B" and "C" of Richmond 90A Ltd. Division – Richmond 90A Ltd. Division Partial Replat No. 1 – 13.2850 acres of land – 0 Lots, 1 Block, 3 Reserves. Mason Garcia, Associate Planner addressed the Commission stating the replat is to relocate the boundary lines between the existing Reserve "A" and "B", readjusting the acreages. There is a commercial building and parking on Reserve "A" and Reserve "B" is undeveloped. Commissioner Beard made the motion to approve a replat of a portion of a Reserve "A", "B" and "C" of Richmond 90A Ltd. Division – Richmond 90A Ltd. Division Partial Replat No. 1 – 13.2850 acres of land – 0 Lots, 1 Block, 3 Reserves. Commissioner Gaul seconded the motion and the vote was unanimous to approve.

Agenda item A8, to review and consider taking action on Ordinance No. 2019-21, rezoning an approximate 2.203 acre tract of land from General Residential (GR) to General Commercial (GC) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located on the west side of Douglas Street, south of Preston Street, east of Collins Road, and north of the Union Pacific Railroad. Subject property is abutting Collins Plaza to the west along Collins Road. Jose Abraham, City Planner provided the background of the agenda item to the Commission stating originally the proposal was for multi-family use. Once it was explained this was not an option under the current guidelines, the applicant proposed a commercial plan. There are 2 other lots and staff believes GC is better suited for this tract of land. Commissioner Drozd inquired about the extension of Calhoun Street into the railroad right-of-way. City Planner Abraham stated it appears with the railroad right of way and the safety concerns, it may not be a possibility but would need to verify. Commissioner Beard made the motion to approve Ordinance No. 2019-21 changing the zoning classification of an approximately 2.203 acre tract of land, out of Lots 1, 2, 13, 14, 15, and 16 Borden's second additions located north of the Union Pacific Railroad tracks between Preston Street, Collins Road, and Douglas Street in Richmond, Texas, from General Residential (GR) to General Commercial (GC); describing said 2.203 acre tract of land; amending the zoning district map of the City of Richmond; providing for an amendment to the Comprehensive Plan; providing for repeal; providing for a penalty; providing for severability; and containing other provisions relating to the subject. Commissioner Drozd seconded the motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A9, to review and consider taking action on Ordinance No. 2019-22, rezoning an approximate 0.210 acre tract of land from General

Commercial (GC) to General Residential (GR) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located at 106 Riveredge Drive. Subject site is abutting residential properties on the north and south side along Riveredge Drive. City Planner Jose Abraham provided the background of this property being the applicant requested the rezone due to the tax classification. There are currently two mobile homes that are occupied on the property but because it is zoned commercial, the FBCAD classifies the property as commercial for tax purposes. The rezoning would allow for the property to be appraised accurately and be reflective of the current use of the property. Commissioner Gaul made the motion to approve Ordinance No. 2019-22, changing the zoning classification of an approximately 0.210 acre tract of land, Lot 4, Block 1, Reyes Division located 106 Riveredge Drive in Richmond, Texas, from General Commercial (GC) to General Residential (GR); Describing said 0.210 acre tract of land; amending the zoning district map of the City of Richmond; Providing for an amendment to the Comprehensive Plan; Providing for repeal; Providing for a penalty; Providing for severability; and containing other provisions relating to the subject. Commissioner Beard seconded the motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A10, review and taking action on Ordinance No. 2019-10 authorizing release of a portion of the City’s extraterritorial jurisdiction, approving an Interlocal agreement with the City of Rosenberg regarding mutual release of extraterritorial jurisdiction, and approving the expansion of the City’s extraterritorial jurisdiction. City Planner Jose Abraham provided a brief background that the item had been on the agenda for the April 15, 2019 and May 20, 2019 meetings but was postponed. The City of Richmond will release 75.78 acres of land to the City of Rosenberg’s ETJ. In turn, the City of Rosenberg will release 92.74 acres of land to the City of Richmond’s ETJ. Concerns were raised about the flood hazard status of the acreage involved in the proposed boundary adjustment. Commissioner Gaul stated the new boundaries will more properly align with the property owners. Commissioner Drozd expressed his concerns with transferring more buildable land and taking in floodway land that is not developable. Although it is appreciated that the boundaries will be clearer defined, property ownership changes hands all the time and properties are split between counties and even states. Commissioner BeMent expressed his appreciation for postponing the agenda item until he became more familiar with the proposal. The concerns are shared with Commissioner Drozd, however there is a benefit to clearing up the boundaries. Commissioner Gaul made the motion to approve Ordinance No. 2019-10 authorizing the release of a portion of the City’s extraterritorial jurisdiction (“ETJ”), approving an Interlocal agreement with the City of Rosenberg regarding mutual release of ETJ; approving the expansion of Richmond’s ETJ. Commissioner BeMent seconded the item and the vote was as follows:

Commissioner Gaul	Favor	
Commissioner Beard	Favor	
Commissioner Drozd	Against	
Commissioner BeMent	Favor	The item was approved.

Mayor Moore introduced agenda item A11, to review and consider taking action on a replat of a portion of Reserve "B" and all of Lots 15 and 16, Block 1, Kingdom Heights, Section One; and a preliminary plat of Providence at Kingdom Heights – 17.0336 acres of land – 90 Lots, 2 Blocks, and 3 Reserves.

- a. Review and discuss requested replat of a portion of Reserve "B" and all of Lots 15 and 16, Block 1, Kingdom Heights, and Section One.
- b. Review and discuss requested variance to deviate from the minimum required lot width of 50 feet and minimum required lot area of 6000 square feet for Providence at Kingdom Heights.

City Planner Jose Abraham stated the agenda item had been before the Commission on April 15<sup>th</sup> and May 20<sup>th</sup> where the developer was requesting a variance to deviate from the minimum lot dimension requirement of 6000 square feet lot area and 50 foot wide lots provided for in the UDC. The applicant proposed a minimum 45 foot wide lots with certain lots less than 6000. Following the May 20<sup>th</sup> meeting, the developer made changes to the plat to meet the minimum standards of the UDC. The total number of lots proposed was reduced from 97 lots to 90 lots and a variance request was no longer needed. It was noted that numerous protest letters have been received. After a brief discussion, Commissioner Beard made the motion to approve the replat of a portion of Reserve "B" and all of Lots 15 and 16, Block 1, Kingdom Heights, Section One; and a preliminary plat of Providence at Kingdom Heights – 17.0336 acres of land – 90 Lots, 2 Blocks, and 3 Reserves with the conditions that the 7 recommendations of staff will be addressed. Commissioner Gaul seconded the motion and the vote was unanimous to approve.

Agenda item A12, Review and consider taking action on Resolution No. 279-2019, appointment of Board Members to the Parks and Recreation Board. City Manager Terri Vela stated that both Susan Farris and Carrie Jackson would like to continue serving on the board.

- Mayor Moore reappointed Susan Farris to position 1. The vote was unanimous to approve.
- Mayor Moore reappointed Carrie Jackson to position 3. The vote was unanimous to approve.

Both positions will serve from July 20, 2019 – July 20, 2022 for the Parks and Recreation Board.

Agenda item A13, Review and consider taking action on Resolution No. 280-2019, appointment of Board Member to the Development Corporation of Richmond. Manager Terri Vela stated that Joe Bonham would like to continue serving on the board.

- Mayor Moore reappointed Joe Bonham to the DCR Board. The vote was unanimous to approve.

The position will serve from July 17, 2019 – July 17, 2021 for the Development Corporation

Agenda item A14, Review and consider taking action on Resolution No. 281-2019, appointment of Board Members to the Zoning Board of Adjustment. City Manager Terri Vela stated that both Joe Benes and Diana DeLeon would like to continue serving on the board.

- Mayor Moore reappointed Joe Benes to position 1. The vote was unanimous to approve.
- Mayor Moore reappointed Diana DeLeon to position 5. The vote was unanimous to approve.

Both positions will serve from July 20, 2019 – July 20, 2022 for the Zoning Board of Adjustment.

Agenda item A15, Review and consider taking action on Resolution No. 282-2019, entering an Interlocal Agreement with Fort Bend Subsidence District to participate in the 2019-2020 Waterwise Program. Assistant City Manager Howard Christian presented the program designed to make 4<sup>th</sup> and 5<sup>th</sup> graders more aware of water conservation. The City sponsors up to 1000 students in the Fort Bend County area in exchange for consideration of the Subsidence District's obligations. The City will receive 84,000 gallons of groundwater credit for each student sponsored in the program. Commissioner Beard stated the program was a two-fold benefit for the City and the children. The City receives ground water credits and the children get to learn about water conservation, it's a "win/win". Commissioner Beard made the motion to approve Resolution No. 282-2019 to enter an Interlocal Agreement with Fort Bend Subsidence District to participate in the 2019-2020 Waterwise Program. Commissioner Drozd seconded the motion and the vote was unanimous to approve.

Agenda item A16, Review and consider taking action on Resolution No. 283-2019, Promotional and Membership Services Agreement with Central Fort Bend Chamber. City Manager Vela stated each year the City enters into an agreement with the Central Fort Bend Chamber which includes numerous benefits that are listed in the contract. Both the City and Development Corporation are listed in the annual Membership Directory, Newsletters, and several other benefits. The contract is \$10,000 and the term begins on June 1, 2019 and ends May 31, 2020. Commissioner Beard stated the recent State of The City that was held June 11, 2019 was an invaluable event and has heard nothing but great things. The Chamber and Staff does an excellent job putting the event together. Commissioner Drozd made the motion to approve Resolution No. 283-2019, Promotional and Membership Services Agreement with Central Fort Bend Chamber. Commissioner Beard seconded the motion and the vote was unanimous to approve.

Agenda item A17, Review and consider taking action on Ordinance No. 2019-23, amending Ethics Ordinance suggested by the Ethics and Compliance Board. City Attorney Gary Smith was available for questions. City Manager Vela stated that no action was necessary for the agenda item but only to create a dialog and provide feedback to the Ethics Board regarding the Ethics Ordinance. Suggestions were given by Commissioner Drozd and Gaul. The agenda item was closed with no action taken.

Agenda item A18, Review and consider taking action on Ordinance No. 284-2019, Awarding Insurance Broker/Consultant Contract. Shelly Freeman, Human Resources Director provided the presentation to the Commission for the agenda item. After

receiving and evaluating qualified proposals from four benefit consulting firms, staff is recommending HUB/IPS Benefits Consultant to evaluate the current benefits, provide recommendations, create awareness and engage employees through wellness programs. There was a discussion period with questions from the Commission. Commissioner Beard made the motion to approve Ordinance No. 284-2019, Awarding the Insurance Broker/Consultant Contract to HUB/IBS Benefits Consultants. Commissioner Gaul seconded the motion and the vote was unanimous to approve.

Agenda item A19, Review and consider taking action on Resolution No. 285-2019, appointment of a Board Member to the Ethics and Compliance Board. City Manager Terri Vela stated that the City had received the resignation of Chairman Jimmy Robertson, position 3 for the Ethics and Compliance Board. City Manager Vela then turned the meeting over to Mayor Pro-Tem Carl Drozd to preside over this agenda item.

- Commissioner Beard recused himself from the agenda item due to the ethics complaints filed against him.
- Mayor Pro-Tem Carl Drozd appointed the Alternate, Wolfram Von-Maszewski to position 3. The term will be from June 17, 2019 – January 31, 2022. The vote was as follows:

Commissioner Gaul	Favor
Commissioner Drozd	Favor
Commissioner BeMent	Favor

- Mayor Pro-Tem Carl Drozd postponed the appointment of the alternate position.

Agenda item A20, Review and consider taking action on staff’s recommendation to authorize the City Manager to execute a construction contract with B-5 Construction, Inc. in the amount of \$735,341 for Regional Lift Station Rehabilitation Project. Assistant City Manager Howard Christian addressed the Commission stating the project was initially bid in March 2019 but was rejected because the bids were substantially over the engineers estimate. Sanders Engineering altered the scope of work and the project was rebid in May 2019 with seven bids received with B-5 Construction, Inc. being the lowest bidder at \$735,341 and an estimated construction time of 240 days. The new bid saved the City almost \$100,000 from the original bids received. Commissioner Gaul inquired if Assistant City Manager Christian was in agreement with the modifications to the project to which the answer was yes. Commissioner Drozd made the motion to approve the construction contract with B-5 Construction, Inc. in the amount of \$735,341 for the Regional Lift Station Rehabilitation Project with authorization of the City Manager to execute the contract. Commissioner Beard seconded the contract and the vote was unanimous to approve.

Agenda item A21. Update on the construction of the Fire Station No. 2. Chief Youngblood provided a brief history of Station 2 which was initially housed in a temporary building. The new station is scheduled to be completed in November 2019 with a staff of three firefighters. The service area is quite large which includes Veranda,

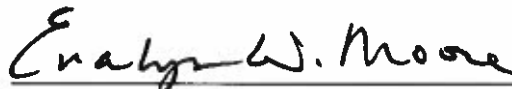
Del Webb, River Park West, Canyon Gate, Sovereign Shores, Lakes of Williams Ranch, Williams Ranch, Royal Lakes, Brazos Lakes, and the I-69 Corridor. The station has had 314 responses YTD with a projected 755 responses for the year. Chief Youngblood provided the replacement plan for the engines with hopes of purchasing a new engine for Station 2 now with expected delivery in 2020. Following a brief discussion, the agenda item was closed.

Agenda item A22, Excuse from Attendance at Regular City Commission Meeting. There were no excuses for attendance at this time.

Mayor Moore introduced agenda item A23, to consider taking action on requests for future agenda items. There were no suggestions or requests for future agenda items at this time.


With no further business to discuss, Mayor Moore declared the meeting adjourned at 6:17 p.m.

APPROVED:



Evalyn W. Moore, Mayor

Attest:



Laura Scarlato, City Secretary