



STATE OF TEXAS
COUNTY OF FORT BEND
CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Workshop Session on December 21, 2020 at 9:00 a.m.

Mayor Becky Haas proceeded to call the meeting to order at 9:04 a.m. via video conference pursuant to Texas Government Code, Section 551.125, as amended, and as modified by the temporary suspension of various provisions thereof effective March 16, 2020, by the Governor of Texas in accordance with the Texas Disaster Act of 1975, all as related to the Governor's proclamation on March 13, 2020, certifying that the COVID-19 pandemic poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas. All members of the public may participate in the meeting via video conference call.

A quorum was present, with the following members in attendance:

Becky Haas, 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
Howard Christian, Assistant City Manager
Laura Scarlato, City Secretary - **Absent**

Mayor Haas introduced agenda item A2, Review and discuss agenda items on the **December 21, 2020 Regular City Commission Meeting.**

Agenda item A1. Call to order, Quorum Determined and Meeting Declared Open.

Agenda item A2. Discuss and recite Pledge of Allegiance and Invocation. There was a lengthy conversation regarding the guidelines for invocation and who would provide the invocation. Everyone provided their opinions and concerns. It was noted that all forms of groups would be allowed to provide prayers and the City should be prepared for small religious denominations, agnostic organizations and atheist groups. Mayor and Commission were favorable of reciting the Pledge of Allegiance.

Agenda item A3. Presentations:

- a. Employee Recognition for Service with the City of Richmond:
 1. Howard Christian, 5 years of service, Assistant City Manager/Public Works Department,
 2. Gary Smith, 5 years of service, City Attorney.

- b. Presentation and update of the Comprehensive Master Plan. Mayor Haas had various questions regarding infrastructure and detention issues at small developments. Also, the lack of communications and continuity from citizens with smaller projects. Historic Preservation needs to be enforced and a park proposed at Seguin School moved forward. There were no further comments from the Commissioners.
- c. Presentation on a New City Hall. Commissioner Beard expressed concerns of raising property taxes. Commissioner Drozd stated that any bond that raised taxes would need to be voted on by the citizens. Mayor Haas stated that the other departments within the City had been provided new facilities and taken care of except for City Hall. "The employees are very crowded", stated Mayor Haas. City Manager Vela stated that CoVid had made us more aware of the close proximity and has been challenging.
- d. Presentation on Sidewalk Assessment and Implementation of Plan. Mayor Haas stated there had been a letter to the editor in the Fort Bend Herald regarding the sidewalks especially in the downtown.

Agenda item A4. Public Comments. There were no citizens signed up to speak therefore, the agenda item was closed. **No comments.**

Agenda item A5. Public hearing to receive comments for or against text amendments to the Unified Development Code to revise land use allowance and site development requirements pertaining to animal boarding and veterinarian services for small animals (Pet boarding facilities); The specific sections include:

- 1) Table 2.2.203, Commercial Limited and Conditional Use Standards
- 2) Division 7.1.300, Definitions.

No comments.

Agenda item A6. CONSENT AGENDA

A6. 1. Minutes – Special, Regular and Workshop for November 9 and 16, 2020.

A6. 2. Fire Department Report

Commissioner Beard inquired what type of burning is permitted in the City. Chief Youngblood stated fires within fire pits or barbeque pits. No brush or burning on the ground is allowed. Commissioner Beard stated the calls were consistent through shifts and stations. The Fire Department level of training is impressive. Commissioner Drozd inquired if the City owned a drone and it was stated that they do and have a licensed operator. Mayor Haas indicated the importance of the Fire Marshal and Deputy Fire Marshal and encouraged the need to replace the former Fire Marshal Albert Cantu quickly. Mayor Haas also expressed the concern regarding the inspectors that are leaving the City. City Manager Vela stated the inspectors are under the Permits Department within Development Services. The Mayor will be provided an organization chart for reference.

A6. 3. Police Department Report

Commissioner Beard requested an explanation of the decline in arrests from 2019. Chief Craig stated the change in the way crimes are reported is making it difficult to compare 2019 to 2020. Also, CoVid has had an impact, not with any written policy, but out of consideration and caution. The lesser crimes were not arrested lessening the jail population. Commissioner Beard also made enquiries about the training of the Police Department. Mayor Haas commended the Chief for the new officers. It was requested if the Department has noticed multiple accidents at

certain locations. Chief Craig stated he would look at the accidents as well as the traffic patterns at Jane Long Elementary School.

A6. 4. Municipal Court Department Report

Commissioner BeMent inquired as to the indication that warrants would begin being issued last month and the report stated zero warrants were issued in November 2020. Court Coordinator Carol Trujillo stated that staff is attempting to contact offenders and allow for a second chance. Staff is required to allow first time offenders another opportunity. The process has been started.

A6. 5. Tax Assessor/Collector Report

A6. 6. Monthly Financial Report

Commissioner Beard inquired as to expenditures being less than what was budgeted. Also, the Utility Fund continues to be lag causing concern. Finance Director Justin reviewed the General Fund and Utility Fund with the Commission providing them explanations. Finance Director Alderete indicated the Cares Act funds that had been allocated to the City have been exhausted.

A6. 7. Public Works Report

Mayor Haas inquired what the term "cut-off" means and noted there were 110 in November. Assistant City Manager Howard Christian explained water is cut off for notice of end of service and/or non-payment. Finance Director Alderete stated the City makes every effort to work with the customer, offering payment plans, text messaging, alerts to cut offs. There was a discussion regarding the water tower rehab and also the traffic cones on Foster Drive being dangerous. Commissioner BeMent inquired about the convenience store on the north side with fresh produce and also why the Historical Commission didn't have a meeting in December. It was stated by Planning Director Jose Abraham that the Historical Commission did not have a quorum due to conflicting schedules and also no action items to consider. The convenience store is seeking a conditional use permit due to rezoning.

A6. 8. Planning Department Report

Mayor Haas expressed her displeasure with the Anchor Bend Church moving to the former Tractor Supply location on FM 2218. The main concerns are traffic issues and parking. There was a lengthy discussion on this item.

A6. 9. Building Department Report

A6. 10. Code Enforcement Report

Commissioner Beard had concerns or questions regarding the report and which items are open and resolved. It was asked, "how do we enforce once the permits have been issued". Code Compliance Supervisor Scott Fajkus who is new to the position, reported that updates are being made to a new system called lworks and assured the Commission that progress is being made to revamp the report and focus is being placed on the older open violations. It was noted the next Building & Standards Commission meeting will be held January 25th. Mayor Haas stated she "has a lot of confidence in you in this new position". Mayor Haas also expressed her appreciation for the map that was included in the report reflecting the locations of the violations.

A6. 11. Emergency Management Report

A6. 12. Review and consider taking action on a Preliminary Plat – OSP NW 359 Reserve “A” – 4.3164 acres of land – 0 Lots – 1 Block – 1 Reserve. The subject site is located on the west side of Mason Road, south of City of Richmond Fire Station 3. Commissioner Gaul inquired whether the City will be receiving sales tax from this property with regards to where it is located. City Planner Abraham stated the 4.3164 is located in the city limits of Richmond and zoned General Commercial.

A6. 13. Review and consider taking action on a Preliminary Plat – Veranda Section Thirty-Eight – 22.8 acres of land – 58 Lots – 2 Blocks – 4 Reserves. The subject site is a section with Veranda master planned community.

A6. 14. Review and consider taking action on a Preliminary Plat – Veranda Section 39/40 – 26.1 acres of land – 93 Lots – 3 Blocks – 6 Reserves. The subject site is a section with Veranda master planned community. Commissioner Gaul inquired about the contours that are reflected for Lots 1-7 on the Plat making them unusable. Planning Director Abraham stated the Plat reflect the existing Lots, not as they are proposed. There are existing ponds but will be filled when the infrastructure is completed.

A6. 15. Review and consider taking action on a Final Plat – Kingdom Heights Section Six – 34.1375 acres of land – 100 Lots – 7 Blocks – 7 Reserves. The subject site is a section with Kingdom Heights master planned community.

A6. 16. Set date for next meetings. (Regular City Commission Workshop and Meeting on Tuesday, January 19th at 9:00 a.m. and 4:30 p.m.)

REGULAR AGENDA

Agenda item A7. Review and consider taking action on a replat of Lots 7,8 & 9 of Block 2, Estates at Lakes of Williams Ranch Sec. 1 as recorded in Plat No. 20180168 of the Fort Bend County Plat Records as Estates at Lakes of Williams Ranch Sec. 1, Partial Replat No. 3 – 1.324 acres of land – 1 Block – 2 Lots – 0 Reserves. Commissioner Gaul stated there are three lots being combined into two lots and are restricted to residential use. Planning Director Abraham confirmed the statement was correct and added the Homeowners Association has deed restrictions and enforce the use of the lots.

Agenda item A8. Review and consider taking action on Ordinance No. 2020-30 adopting text amendments to the Unified Development Code to revise land use allowance and site development requirements pertaining to animal boarding and veterinarian services for small animals (Pet boarding facilities); The specific sections include:

- 1) Table 2.2.203, Commercial Limited and Conditional Use Standards
- 2) Division 7.1.300, Definitions.

Commissioner Gaul and Drozd spoke on the item expressing concern if the noise restrictions would be adequate and if sound barrier building materials were being required. Planning Director Abraham stated that boarding facilities have changed over the years and that consideration for different zoning designations and consideration for adjoining properties were all being contemplated.

Agenda item A9. Review and consider taking action on Resolution No. 349-2020, appointment of Planning & Zoning Commission members. City Manager Vela indicated that the Board Member Ernie Hogue has requested to step down due to health reasons. Commissioner Beard affirmed that Mr. Hogue was the first member of the original Charter Committee to suggest zoning and has been a valuable asset to the City over the years. Commissioner Gaul spoke regarding this item stating the Planning & Zoning Board is one of considerable importance and the members selected should be reviewed with additional scrutiny. Having alternates and then moving them up to positions was discussed along with creating a pool that contains applicants that have been trained in a leadership program. Amending the Rules of Commission as to how applicants are appointed or chosen was conversed.

Agenda item A10. Review and consider taking action on Resolution No. 350-2020, appointing a member to the Fort Bend Subsidence District. Commissioner Gaul asked if there was feedback on his performance with the Subsidence District. City Manager Vela indicated that Mr. Karl Baumgartner has served on the board for many years and provides an excellent voice for the City of Richmond. The Board consists of 12 members with representatives for all the surrounding cities. City Manager Vela stated Mr. Baumgartner has expressed the desire to continue to serve. Commissioner Beard indicated it would be helpful to have Mr. Baumgartner attend a Commission meeting. Commissioner Beard also stated he has served with him on other boards and is a very intelligent individual.

Agenda item A11. Review and consider taking action on scheduling a workshop meeting to review and discuss City Charter and Commission Rules of Procedure. It was proposed to have a workshop to discuss the rules, proposed changes and refresher of the rules. There was a brief discussion.

Agenda item A12. Review and consider taking action on Resolution No. 351-2020 approving an extension of the Agreement Concerning Provision of Garbage Collection Services with MUD 187. City Manager Vela provided the background stating the garbage contract has been in effect for a number of years and is expiring April 30, 2021. The purpose of this resolution is to extend the Del Webb MUD 187 contract due to it expiring before the provider contract, allowing all parties to be aligned. The City will be reaching out for bids insuring a more robust contract with updated services. There were various Commissioner comments and direction.

Agenda item A13. Review and consider taking action on awarding an Engineering contract for the North Richmond Water Line Replacement Project through the Fort Bend County Community Development Block Grant, Phase XII. Commissioner Gaul inquired about the scoring process of the bids with several questions. Assistant City Manager Christian indicated for professional services, only qualifications are received, not proposals. ACM Christian stated that all nine bidders could perform the project, however it is based on what vendor went the extra mile with pictures, surveys but all meet the minimum qualifications. Commissioner Beard questioned the process of soliciting bids and the analyzation process. City Manager Vela stated that CDBG funds can only be used in specific areas of the City that are eligible.

Agenda item A14. Review and consider taking action on awarding an Engineering contract for the Clay Street Drainage Improvement and Sidewalk Project.

Commissioner Gaul inquired what were the remaining funds from Phase I. ACM Christian stated there was \$200,000 remaining that was applied to this project. The remainder of the funding will be through a County Mobility Bond, second request from the Foundation and inline grant funding. Commissioner Drozd requested that drainage be considered for future development of the Proler property. ACM Christian stated drainage studies have been completed and plans made for future development.

Agenda item A15. Review and consider taking action on Resolution No. 352-2020 approving Interlocal Agreement with Fort Bend County on FM 762/10th Street Improvement. Mayor Haas stated the information was very difficult to understand and read, requesting a workshop with the Richmond Commission and the County Commissioners. City Manager Vela provided the history of the proposed project dating back to 2010. Property has been purchased on FM 762. The concerns were that the negotiations and discussions occurred prior to the election of the current Mayor and Commissioners. Commissioner Gaul suggested an executive summary be created to provide guidance. Commissioner Drozd advocated for the movement forward of the Interlocal Agreement to maintain momentum and control. There was a lengthy discussion with numerous comments and concerns.

Agenda item A16. Review and consider taking action on Ordinance No. 2020-31 abandoning a portion of 3rd Street to Fort Bend County. There were concerns expressed from the Commission with regards to this item that coincided with agenda item A15.

Agenda item A17. Review and consider taking action on Ordinance No. 2020-26, establishing regulations of the placement and maintenance of donation boxes. Commissioner Gaul stated the document is significantly better than the earlier drafts with one concern that the process from violation to revoking permit is adequate. There was a brief discussion.

Agenda item A18. Review and consider taking action on Consulting Agreement to assist us on legislative activity. City Manager Vela provided the background of the need for the legislative consultant and that he was active with the hotel legislation in 2019. Commissioner Gaul requested language for a termination clause and accountability. Commissioner Beard requested to interface with Mr. Marcell to provide guidance. Commissioner Drozd requested payment clarification with regards to expenses, conflict of interest language and clarification of who directs the consultant to avoid conflicting direction. That being the City Manager or the Mayor and Commission.

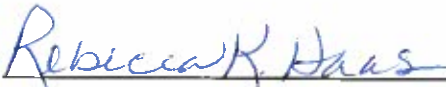
Agenda item A19. Excuse from Attendance at Regular City Commission Meeting.

Agenda item A20. Consider taking action on requests for future agenda items.

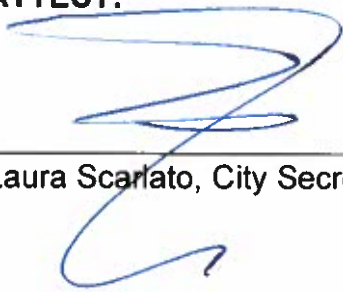
Before adjournment, City Manager Vela requested Building Official Lori Bownds to provide the answer that was posed earlier in the meeting to Mayor Haas regarding the permitting by the County for demolition of the EMS Building. Building Official Bownds stated the County did obtain a demolition permit for the existing EMS Building.

With no further business to discuss, Mayor Haas declared the meeting adjourned at 1:02 p.m.

APPROVED:


Becky K. Haas, Mayor

ATTEST:


Laura Scarlato, City Secretary