



STATE OF TEXAS  
COUNTY OF FORT BEND  
CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Workshop Session on November 16, 2020 at 9:00 a.m.

Mayor Pro Tem Drozd proceeded to call the meeting to order at 9:02 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:

Evalyn W. Moore, Mayor - **Absent**  
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

Mayor Pro Tem Drozd introduced agenda item A2, Canvassing of November 3, 2020 General Election. The certification of the cast ballots prepared and submitted by John Oldham, Fort Bend County Elections Administrator was read. The results were as follows with six out of six precincts reporting.

Out of 5,681 registered voters, 3,256 ballots were cast. The voter turnout was reported as 57.31%.

Evalyn W. Moore	1,334
Rebecca Kennelly Haas	1,420
<b>Total</b>	<b>2,754</b>
Undervotes	502
<b>Total Ballots Cast</b>	<b>3,256</b>

Mayor Pro Tem Drozd introduced agenda item A3, Canvassing of November 3, 2020 Special Election Results of November 3, 2020. The certification of the cast ballots prepared and submitted by John Oldham, Fort Bend County Elections Administrator

was read. The results were as follows with six out of six precincts reporting. Out of 5,681 registered voters, 3,256 ballots were cast. The voter turnout was reported as 57.31%.

<b>Proposition 1</b>	FOR	2,378
	AGAINST	471
	<b>Total</b>	<b>2,849</b>
	Undervotes	407
	<b>Total Ballots Cast</b>	<b>3,256</b>
<b>Proposition 2</b>	FOR	2,260
	AGAINST	548
	<b>Total</b>	<b>2,808</b>
	Undervotes	448
	<b>Total Ballots Cast</b>	<b>3,256</b>
<b>Proposition 3</b>	FOR	1,815
	AGAINST	976
	<b>Total</b>	<b>2,791</b>
	Undervotes	465
	<b>Total Ballots Cast</b>	<b>3,256</b>
<b>Proposition 4</b>	FOR	1,423
	AGAINST	1,328
	<b>Total</b>	<b>2,751</b>
	Undervotes	505
	<b>Total Ballots Cast</b>	<b>3,256</b>
<b>Proposition 5</b>	FOR	1,618
	AGAINST	1,054
	<b>Total</b>	<b>2,672</b>
	Undervotes	584
	<b>Total Ballots Cast</b>	<b>3,256</b>
<b>Proposition 6</b>	FOR	1,934
	AGAINST	905
	<b>Total</b>	<b>2,839</b>
	Undervotes	417
	<b>Total Ballots Cast</b>	<b>3,256</b>

Agenda item A4, Review and consider taking action on Ordinance No. 2020-27, certifying General Election Results of November 3, 2020. There was no discussion. Commissioner Gaul made the motion to approve Ordinance No. 2020-27 certifying the

election results of the General Election held in the City of Richmond, Fort Bend County, Texas on November 3, 2020. Commissioner Beard seconded the motion and the vote was unanimous to approve. The agenda item was closed.

Agenda item A5, Review and consider taking action on Ordinance No. 2020-28, certifying Special Election Results of November 3, 2020. Commissioner Gaul made the comment that all the Propositions passed with a wide margin with the exception of Proposition 4 which was the authorization of City Commission to cancel a general election. Perhaps the wording could have been clearer so that it would have passed more favorably. In the future, this should be a consideration. City Attorney Smith stated it was very clear that the wording of a proposition can affect the outcome. In the future, possibly having multiple individuals with different points of view review the language would be helpful. City Manager Vela stated the reference is to state law. All the Commissioner agreed that it was a lesson learned. Commissioner Beard made the motion to approve Ordinance No. 2020-28, certifying the election results of the Special Election held in the City of Richmond, Fort Bend County, Texas on November 3, 2020. Commissioner Gaul seconded the motion and the vote was unanimous to approve. The agenda item was closed.

Mayor Pro Tem Drozd opened the agenda item A6, to review and discuss agenda items on the **November 16<sup>th</sup> Regular City Commission Meeting**.

Mayor Pro Tem Drozd solicited question or concerns for Agenda item A2, there were none.

A2. Presentations:

- a. Evalyn W. Moore, recognitions for service to the City of Richmond.
- b. Proclamations:
  1. Honoring Star of Essence #71
- c. Introduction of Jerry Jones, Economic Development Director.
- d. Introduction of Scott Fajkus, Water Quality and Code Compliance Supervisor.
- e. Recognition of Certificate of Achievement in Financial Reporting.
- f. Presentation and discussion of Capital Improvements Program.

Agenda item A3, Public Comments. Commissioner Gaul made a suggestion to change the wording of the public comments from in person to "must be present" due to CoVid, the language is more flexible.

Agenda A4, Oath of Office given to newly elected Mayor, Rebecca "Becky" Kennelly Haas. No discussion regarding this item.

Agenda item A5, Mayor Pro Tem Drozd inquired if there were any Consent Agenda items to be discussed for agenda item A5.

Commissioner Gaul pulled A5 (14)

Commissioner Beard pulled A5 (1) (2) (3) (4) (6) (7) (8) and (10).

Commissioner BeMent stated would comment on Commissioner Beard pulled items.

Agenda item A5 (1) Minutes. Commissioner Beard stated that on the minutes of October 19<sup>th</sup> 4:30 meeting, Agenda item A16, Future Agenda Items, it was requested an update of the 20-year infrastructure master plan. Commissioner Beard inquired as to why the item was not on the agenda. City Manager Vela stated it was Agenda item A2. (f) Presentation and discussion of Capital Improvement Program on the November 16<sup>th</sup> agenda. The City does not have a "20-year infrastructure master plan" that has been adopted, the Capital Improvement Plan is the same but a different title. There was a lengthy discussion with Mayor Pro Tem Drozd suggesting that in the future, communication before the meeting should occur. The item was closed.

Agenda item A5. (2) Fire Department Report. Commissioner Beard inquired as to why the Fire Marshal is removing Bandit Signs. What is the involvement of the Fire Marshal and Code Enforcement? Chief Youngblood stated that when Code Enforcement was a division of the Fire Department, the two worked as a team and they were instructed to put them on their reports. At convenient stores, the Fire Marshal inspects the camera systems and surveillance. This was more of a Police Department function but since the Fire Marshal is there it is more efficient to provide the inspection.

Agenda item A5. (3) Police Department Report. Commissioner Beard inquired if the streetlights that were reported as not functioning on the Beat #1 had been repaired. City Manager Vela stated there is a new format for the Beat Reports. Commissioner Beard stated although he approved of the new format, the goals need to be a task that the officers don't do on a regular basis or a part of their regular routine. Chief Craig stated the comment was noted.

Agenda item A5. (4) Municipal Court. Commissioner Beard stated there was a significant increase in no shows to court. Court Administration Carol Trujillo stated warrants are being issued for nonappearance. There was a brief discussion and the agenda item was closed.

Agenda item A5 (6) Financial Report. Commissioner BeMent asked Finance Director Justin Alderete to walk through the finance report, particularly with regard to understanding year-over-year sales tax. Finance Director Justin Alderete stated the prior year's sales tax is 1.6% lower but is not a concern because we already have the November collections and its higher, so it washes out. Viewing the overall picture, the City is on track with Sales Tax, and there will be fluctuations in the budget because it's based on a normal probability distribution. Finance Director Justin Alderete noted that sales tax audit adjustments can impact the individual months budget. Commission Beard asked to be provided with a cash on hand report. In regard to grants, City Manager Vela stated the City has four different project requests where grant funds have been applied for and that she will provide information when and if the awards are received. Mayor Pro Tem Drozd inquired as to whether or not those grant funds would appear in the general fund if they are received. Finance Director Alderete stated those funds are held in a separate fund because they are large dollar amounts and by

separating them from the General Fund, they are able to add another layer of protection from a control's standpoint.

Agenda item A5. (7). Public Works Report. Commissioner Beard had a question regarding the difference in the wastewater report and the wastewater treatment report. One is yearly and one is monthly. There was a discussion as to one being the Richmond Regional Report and the Richmond South Report. Assistant City Manager Christian stated the report is the start of a new permit year and accumulates water credits. Commissioner Beard inquired why the two reports are different. After a brief discussion, Commissioner Beard stated he would discuss it further at a later time. Commissioner Beard inquired how the Public Works Department prioritizes potholes within the City. Assistant City Manager Howard Christian stated Public Works responds within 24 to 48 hours. As potholes are reported, a work order is filed and typically respond on an as needed basis. Commissioner Beard asked why there was curbing and striping being done for wayside horns. Assistant City Manager Beard stated the City had sent a "notice of intent" and Union Pacific came back with a request for 150 feet of curbing and striping to be added at every crossing. This is required to continue the project and the City is complying.

Agenda item A5. (8). Planning Department Report. Commissioner Beard inquired if the Fort Bend County Emergency Management Service's new facility conforms to the UDC regarding a break in the elevation versus a straight line. City Planner Jose Abraham stated this project's timing fell within the same time frame that Senate Bill 2 which addressed building materials and other issues. At the time it was felt this was the best approach as the language is not as clear and straightforward. Commissioner Beard also commented on the landscaping of the building.

Agenda item A5. (10) Code Enforcement Report. Commissioner Beard's comments were regarding the new chart reflecting the Code Compliance Process that was provided, determining priorities and equal treatment for all citizens. All the ordinances should be enforced equally and of equal importance. May need to determine if the City has adequate staff to be able to enforce. City Manager Vela stated the Department follows a universal tool and staffing will be reviewed. At this time, City Manager Vela introduced Scott Fajkus the new supervisor of Code Enforcement. Mr. Fajkus stated there is a thought process as to how each violation is handled and the avenue that is taken to achieve the goal. There are challenges such as finding the homeowner, who is responsible, equal treatment and having the violator show up to court. Commissioner Beard expressed concerns for the decisions that are made to issue a citation, or the City cleans with their resources and issues an invoice, how are those priorities and decisions made. With no further discussion, the agenda item was closed.

Agenda item A5. (14) Concept Plant – OSP NW 359 – 25.539 acres of land – 0 Lots – 1 Block – 13 Reserves. The subject site is located at the northeast corner of the FM 359 Road and Mason Road intersection. Commissioner Gaul stated the description

should say northwest corner versus northeast corner. City Planner Abraham stated the change would be made.

Agenda item A5. (12) Final Plat – Veranda Section Thirty-Seven – 10.27 acres of land – 46 Lots – 2 Blocks – 1 Reserve. The subject site is a section within the Veranda Master planned community. Commissioner Beard made mention the language for the conditions on the plat were unclear. The conditional approval is that they fulfill the conditions, but condition can't be given until that condition is met. We can't approve this one in Commissioner Beard's opinion. City Planner Jose stated the concerns are understood and explained that the City Commission's approval is conditioned upon approval of the proposed plat by Fort Bend County Drainage District. With no more discussion, the agenda item was closed.

The consent agenda was closed.

Mayor Pro Tem Drozd skipped agenda item A6. To consider appointment of Mayor Pro Tem. Per Section 3.04, Charter "Mayor and Mayor Pro Tem" (4) The Mayor Pro Tem shall be a Commission Member appointed by the Mayor at the first regular meeting after each election on Commission Members. No discussion.

Agenda item A7, Review and consider taking action on Ordinance No. 2020-29, annexing the existing and expanded right of way of 9<sup>th</sup> Street (also known as Plummer Street) from US Highway 90A to the Mandola Farms development. Commissioner Gaul expressed concerns about duplicating the street name. City Manager Vela stated the new street name will be Mandola Farms Drive. There was no further discussion.

Agenda item A8, Review and consider taking action on a replat of Lots 14 & 15 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. 2 – 0.9835 acres of land – 1 Block -1 Lot – 0 Reserves. Commissioner Gaul requested on all the replats to see before and after diagrams of the property and also if they could become standard procedure with regards to the replats. City Manager Vela stated they will be provided in the future. Commissioner Drozd stated the Commission Packets are getting larger and asked if the diagrams were really necessary. Commissioner Gaul contended that in order to change A to B, you must see both A and B to make an informed decision. There was no further discussion.

Agenda item A9, Review and consider taking action on Resolution No. 341-2020, appointment of Planning & Zoning Commission Members. Commissioner Gaul inquired if it was just a coincidence with two board members requesting to step down. City Manager Vela stated one individual desired to have more time to enjoy retirement. The other member felt with the pandemic, zoom meetings, and online school for her children she is experiencing a shift in priorities. Commissioner BeMent expressed the importance of continuity of the boards. Commissioner Beard stated it is up to the Commission to recruit people to get involved and encourage individuals to fulfill those roles.

Agenda item A10, Review and consider taking action on Resolution No. 347-2020, appointment of Board Members to the Development Corporation of Richmond. There was no discussion

Agenda item A11, Review and consider taking action on approving HGAC Board Member Appointment for FY 2021, Resolution No. 348-2020. Commissioner BeMent made the comment that he was appointed last year as the alternate but did not participate but would like to be more involved. The appointment will be made by the Mayor. The agenda item was closed.

Agenda item A12, Review and consider taking action on awarding a construction contract for Street Barn and Water Barn generators. Commissioner Gaul inquired as to the comparisons of the three bidders and how they are evaluated. Does the review committee consider a shorter work schedule at a slightly higher price? Assistant City Manager Christian stated that the 165 days with C. F. McDonald Electric would get the City prepared for hurricane season and staff is comfortable with the references that were obtained. Mayor Pro Tem Drozd asked if the generators would be the silent type with buffers. It was stated the buffers that are built around them are for aesthetics only but they have mufflers to reduce the decibels.

Agenda item A13, Review and consider taking action on Ordinance No. 2020-26, establishing regulations of the placement and maintenance of donation boxes. Commissioner Gaul inquired if the language regarding insurance had been removed. City Manager Vela stated the packet posted online still contains the language, but the agreement emailed has had it removed. Mayor Pro Tem Drozd expressed his concerns for not having liability insurance if a donation box is placed on any City property. City Manager Vela stated it would be referred to Texas Municipal League. However, a permit to place a donation box on city property would perhaps not be approved.

Agenda item A14, Excuse from attendance at Regular City Commission Meeting. No comments.

Agenda item A15, Consider taking action on requests for future agenda items. No comments.

There were no follow up questions from the Commission.

With no further business to discuss, Mayor Pro Tem Drozd declared the meeting adjourned at 10.44 a.m.

**APPROVED:**

  
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Carl A. Drozd, Mayor Pro Tem

**ATTEST:**

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Laura Scarlato, City Secretary