



STATE OF TEXAS
COUNTY OF FORT BEND
CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Regular Session on April 19, 2021 at 4:30 p.m.

Mayor Becky Haas proceeded to call the meeting to order at 4:30 p.m. The meeting was broadcast via video conference call. All members of the public may participate in the meeting and 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
Howard Christian, Assistant City Manager
Gary Smith, City Attorney
Laura Scarlato, City Secretary

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

Agenda item A2. Recite the Pledge of Allegiance to the U.S. Flag and the Texas Flag. Mayor Haas led the Commission in the pledges.

Agenda item A3. Presentations:

- a. Employee Recognition for Service with the City of Richmond.
None
- b. Proclamations
 1. Skin Cancer Awareness Month
 2. ALS Awareness Month
 3. Brain Cancer Awareness Month

The Mayor presented all three proclamations encouraging the citizens to become more aware of these cancers and disease and taking precautions while out in the sun and being cognizant of symptoms they are experiencing. Diane Schmidt, a City employee who succumbed to brain cancer in 2020 was remembered.

- c. **Legislative Consultant Update.** The presentation was provided by Marvin Marcell, Government Relations Consultant discussing the two bills that will be included in the 87th legislature. There is currently forty days remaining in the session therefore it is "crunch time". The first bill, authorizing the Hotel and Convention Center is looking positive. Commissioner Beard provided in-person testimony before the House Ways & Means Committee with City Manager Terri Vela and Economic Development Director Jerry Jones providing written testimony. It was unanimously approved by committee and because of that vote, it has been moved to the local and consent calendars. All County representatives were asked to be on the bill and all but one complied. The second bill is the right of way and extraterritorial jurisdiction annexation type issues. The bill came out of the House with a favorable vote of 9-2 and no objections in the Senate. It is being called the Shine Bill after the author Senator Hugh Shine, District 55 with Senator Kel Seliger, District 31 being the author in the Senate. Mr. Marcell discussed the bills being presented to defund the police Senator Joan Huffman; District 17 will not allow it. It was discussed that the power to shut down during a pandemic would be shifted from the Governor to the Legislature is being discussed. There will be a redistricting and redrawing of the maps. Due to the census information not being available until late August or early September it will likely push back the candidate filing date as well as the primaries. Mr. Marcell stated there is tension in Austin regarding rural vs. urban and cities vs. established state leadership. There is a push to not allow cities to hire lobbyist to represent them. At this time, no bill has passed to support this issue.

- d. **Fort Bend Subsidence Representative Update.** City Manager Terri Vela introduced the City's representative, Mr. Karl Baumgartner to provide the update. Mr. Baumgartner has served in this capacity for the past seven years. It was stated that from the position of the Board, there are no plans to increase the reduction requirements from 30% to 60%. City Manager Vela stated the City is set for 2025 but can be extended by issued credits. Commissioner Beard wanted to ensure the Board knows the impact an increase would have on the community.

- e. **Traffic Study update for Collins, Clay and 2nd Street.** Assistant City Manager Christian provided the background stating a traffic study was completed approximately two years ago. At that time, the County stated a signal was warranted at Collins and Clay Streets on the weekends, but the City would need to fund it. The City has two projects now with the realignment of 10th Street and a round-a-bout or traffic signal on Clay Street. The Clay Street project will happen first with coordination so that nothing has to be redone. There is also a concern at 2nd Street and Clay Street with regards to the corner not having adequate space for a turning radius. City Manager Vela stated the round-a-bout would calm the traffic in the area. Drivers tend to increase speed on the way to George Park. There has been a mobile sign along Collins to measure the speed at various times in the past few years.

Agenda item A4. Public Comments. There were individuals signed up to speak however, the Mayor instructed them to speak during the specific agenda item A7.

Agenda A5. Public hearing to receive comments for or against a request by Brant Phillips to rezone an approximate 0.28-acre tract of land from GR, General Residential to OT, Olde Town district and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. The subject site is located at 1215 Main St; the southeast corner of the Main Street and

South Union Street intersection. There was no one present to speak on the item; therefore, it was closed.

Agenda item A6. CONSENT AGENDA

- ❖ Commissioner Gaul pulled A6. (11)
- ❖ Commissioner Beard pulled A6. (11)
- ❖ City Manager Vela pulled A6. (6)

Agenda item A6. (11) Review and consider taking action on a Short Form Final Plat – Intex United – 10.000 acres of land – 0 Lots – 1 Block – 1 Reserve. The subject site is located along the west side of Collins Rd, North of Highway 90A and south of Preston St. Commissioner Beard pulled the item to highlight it since it is the old foundry location. The foundry previously employed 900 people. The citizens have been asking for redevelopment of this property for several years. The property meets the UDC requirements and there are no variance requests. City Planner Abraham indicated the plans for the property are a sign manufacturing firm that is relocating and expanding from Houston. They ship nation wide and will be bringing 40-55 staff members. The company wants to be the best facility in Richmond. Commissioner Beard made the motion to approve the Consent Agenda A6 (1-16) with Commissioner Gaul seconding the motion. The vote was unanimous to approve.

REGULAR AGENDA

Agenda item A7. Review and consider taking action on a Replat - River Forest Section Three Lot Six, Block 4 Replat No. 1 – 4.072 acres of land – 1 Block – 2 Lots – 0 Reserves and associated Plat variance. The subject site is part of the River Forest Residential Subdivision located at 5202 Winding River Drive.

- ❖ Billy Corbin, 3211 Wild River Drive, Richmond, Texas. Mr. Corbin stated he bought the lot to have his daughters build on the property in the back so the grandchildren could be near their grandmother. Larry Sillers the developer indicated the replat would not be an issue. The lot size is seven acres, he would like to put his house on the three acres in the front and split the four acres in the back for his two daughters.
- ❖ Kent Hanson, 14201 Memorial Drive, Houston, Texas. Mr. Hanson stated he represents Mr. Corbin as his attorney. The background was provided referring to the replat of Lot 6 which is currently a flag lot. Along with Lot 6, the back two Lots would be 1 & 2. If the property is sold, there would be a provision for shared cost. The easement provides guidance. In his analysis of the UDC requirements and variance requested it will be inline with the Comprehensive Master Plan.
- ❖ Patsy Rodriguez, 5318 Winding River Drive, Richmond, Texas. Ms. Rodriguez stated she owns the property next to Lot 6 being Lot 5, 4 and 7. Her concerns are for the flooding that may occur due to the added foundations/houses in the back of the property. The Lots currently flood due to the Brazos River and Jones Creek.

City Manager Terri Vela introduced City Planner Jose Abraham to discuss the Replat and provide guidance. The proposed Replat does not create a flag Lot because it was already existing prior to the UDC being adopted, therefore the replat is not creating a non-conformance within the neighborhood. The proposed replat is not against the spirit of the UDC or the Comprehensive Master Plan goals. The replat does not result in special privilege to the owner as the replated lots are comparable to the other existing lots within the subdivision. The River Forest Subdivision was created prior to the adoption of the UDC. The Planning and Zoning Commission and Staff are recommending approval based on their evaluation. It was however noted that one member voted against. The Replat needs to be approved by Fort Bend County Drainage and Fort Bend County with minor corrections to the plat notes. City Manager Vela stated since Harvey, there are new drainage requirements, and the applicant would need to comply. Commissioner BeMent stated the applicant has an obligation to research the requirements before the purchase of the property knowing the lot was shaped differently. The flag shape was already there and it would appear that a variance would need to be requested. Although Commissioner BeMent is sympathetic to the applicant, his fear is that it will set a precedent. Commissioner Drozd commented that the existing Lot 6 is on lower land than Lots 7 and 5. The applicant would be required to build up the foundations and change the drainage. The 20' easement would be at the edge of the lake. Commissioner Beard expressed his concerns for the future and expanding the Extraterritorial Jurisdiction to include River Forest. Commissioner Gaul stated since the flag Lots were created prior to the UDC and provided both of the back Lots have access; he did not see a problem with approving the variance. There would be little impact with regards to the City. Mayor Haas inquired if there would be separate deeds to these Lots and an easement document recorded with the County Property Records. Commissioner Beard made the motion to approve the Replat – River Forest Section Three Lot Six, Block 4 Replat No. 1 – 4.072 acres of land – 1 Block – 2 Lots – 0 Reserves and associated Plat variance. Commissioner Gaul seconded the motion. The votes were as follows.

Commissioner Beard – For
Commissioner Gaul – For
Commissioner Drozd – Against
Commissioner BeMent – Against
Mayor – Against (voted to break the tie)

Reason for denial: Section 4.1.101.C.1. of the UDC due to the proposed replat does not conform to the requirements of Section 4.1.101.C.1. of the UDC and a copy of paid tax certificate was not provided as required by Sec. 6.3.503C.s UDC.

Agenda Item A8. Review and consider taking action on Ordinance No. 2021-07, rezoning an approximate 0.28-acre tract of land from GR, General Residential to OT, Olde Town district and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. The subject site is located at 1215 Main St; the southeast corner of the Main Street and South Union Street intersection. City Planner Abraham provided the background of the property being a 1308 square foot home with detached garage and shed. The property was zoned in 2015 as General Residential. The surrounding properties have various uses. The key factors were reviewed, the property will be used for an office which is permitted in Olde Town. Commissioner Drozd and Commissioner Gaul stated they would like

to see the entire General Residential area be rezoned to Olde Town versus approving individual properties. Commissioner Beard inquired as to the parking requirements when the property is rezoned to OT. City Planner Abraham stated parking is allowed on the street in OT. Commissioner Beard made the motion to approve Ordinance No. 2021-07, rezoning the zoning classification of a 0.28 acre tract of land, being all of Lots 13, 14, and 15 of block two, west end addition to the City of Richmond, Fort Bend County, Texas, 1215 Main Street, located at the southeast corner of Main and Union Streets in Richmond, Texas, from General Residential to Olde Town; describing said 0.28 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 BeMent seconded the motion, and the vote was unanimous to approve.

Agenda item A9. Present, discuss, and consider taking action on the Quarterly Financial Report. Finance Director Justin Alderete addressed the Commission with a presentation. The report represented 50% of the fiscal year of 2020-2021. The revenues and expenses for the General Fund and the Utility Fund were reviewed. Finance Director Alderete also reviewed the Quarterly Investment Report at this time. Commissioner BeMent thanked the Director for an excellent report. It was asked if there was anything the City could do to guard against inflation. Director Alderete stated there are strict guidelines as to investments. Commissioner Beard stated the City needs the highest yield with the least amount of risk. Commissioner Gaul stated his position would be to move to a higher interest yield such as the sweep fund. Director Alderete stated funds would be moved to the Texas Pool. City Manager Vela stated the City would be looking at Capitol Improvement Projects needs as well as cash on hand. Commissioner BeMent made the motion to approve the Quarterly Financial Report with Commission Gaul seconding the motion. The vote was unanimous to approve.

Agenda item A10. Present, discuss, and consider taking action on the Quarterly Investment Report. This item was reviewed at the same time as agenda item A9. Commissioner Drozd made the motion to approve the Quarterly Investment Report with Commissioner Beard seconding the motion. The vote was unanimous to approve.

Agenda item A11. Review and consider taking action on recommendation to authorize City Manager to negotiate a contract for residential and commercial Solid Waste Collection. Assistant City Manager Howard Christian provided the Commission the notable changes with the proposed provider. Some of those listed were as follows:

- ❖ Larger recycling containers – 65-to-95-gallon poly carts
- ❖ Customer Service Care Center operated by the Contractor and overseen by City staff.
- ❖ Penalty schedule for non-performance
- ❖ Bulky Waste Collection – once per week.
- ❖ Cart Assistance Program for disabled customers.
- ❖ Guaranteed price for 2 years, eligible up to + or – 2.5% CPI increase in year 3 and thereafter.
- ❖ Keep Richmond Beautiful donation.
- ❖ Inclusion with price will be a 5% street rental fee paid to the City.
- ❖ No additional charges for solid waste collection at City facilities.

The City received five bids and two firms were chosen for follow-up interviews. Green for Life formerly known as WCA was unanimously chosen as the best option for the City's next solid

waste provider. Commissioner Drozd requested a smooth transition from Republic to Green for Life which will require providing education to the citizens. Commissioner Gaul commended staff as to how efficient the bids were evaluated as this is one of the more significant contracts in the City. Commissioner Beard made the motion to approve authorizing the City Manager to negotiate a contract for residential and commercial Solid Waste Collect with Green for Life. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A12. Review and discuss proposed Ordinance No. 2021-08, amending solid waste fees. There are no changes to the rates anticipated and no discussion. The agenda item was closed because no action was required.

Agenda item A13. Review and consider taking action on Resolution No. 358-2021, policy for appointments to boards, commissions, and committees. City Attorney Smith stated the changes suggested from the morning workshop had been incorporated. The language regarding the alternates was made clearer. Attorney Smith explained the staggered terms with one member having a one-year term in the beginning and the other a two-year term. Mayor Haas stated that she has been asking for these changes for a while, appreciates the revisions being made and thanks staff and the Commission for allowing the changes. Commissioner Gaul stated the resolution is much improved. Commissioner Drozd made the motion to approve Resolution No. 358-2021, policy for appointments to boards, commissions, and committees. Commissioner Beard seconded the motion, and the vote was unanimous to approve.

Agenda item A14. Review and discuss proposed alterations, amendments or supplements to the Rules of the Commission related to appointments to Boards, Commissions and Committees. Commissioner Beard requested that something be placed in the Rules of Commission to suggest a draft agenda be provided on the Tuesday prior to the Commission Meeting. This would allow for better preparation for the meeting. Commissioner Drozd stated the request would hinder the flow of operations for staff. It was stated it would prompt more questions and conversations with the City Manager. There was no action therefore, it was closed.

Agenda item A15. Review and consider taking action on Resolution No. 357-2021, submitting CDBG Phase XIII Grant application. Assistant City Manager Christian the north side of Richmond is the only section in Richmond that qualifies for Community Development Block Grant (CDBG) funding program. Staff will be applying for grant funding for water and wastewater line rehabilitation and asphalt overlay on Ferry Street. The water line is undersized, and the re-routing of the wastewater line will allow the City to eliminate the aging pump station on North Seventh that is prone to flooding. The upgrades soft cost is \$184,981 with the City's matching funds being a 10% construction contingency estimate to be \$14,623. It was stated the County is the administrator of the funds. There was a discussion as to where the boundaries are reflected. Commissioner Beard made the motion to approve the Resolution No. 357-2021, submitting the CDBG Phase XIII Grant application. Commissioner Drozd seconded the motion, and the vote was unanimous to approve.

Agenda item A16. Review and consider authorizing the City Manager to execute contract with Bella Media. City Manager Vela introduced Economic Development Director Jerry Jones to provide the background of Bella Media. Staff is recommending Bella Media to tell the story of

Richmond. Today's market prefers video to still pictures. Our signature logo will be on all still shots for branding purposes. They will be spotlighting the businesses and supporting Downtown and community events such as Movies in the Park (formerly Movies on Morton). Staff will continue to work with Magana Media as the City is lagging behind with marketing. The goal is to optimize LinkedIn, reach sites selected for Economic Development and tourists. Commissioner Drozd inquired if there is a trend to branch out beyond YouTube and Facebook. Director Jones stated he is not concerned with the shift. It was stated that staff is aware of what is missing regarding marketing. Michelle Moore the communications Specialist will be brought into the conversation and both media firms. City Manager Vela stated the City has previously worked with Bella Media and it was a positive experience. Commissioner Drozd made the motion to authorize the City Manager to execute the contract with Bella Media. Commissioner BeMent seconded the motion and the vote was unanimous to approve.

Agenda item A17. Excuse from Attendance at Regular City Commission Meeting. The Mayor stated they were no actions needed.

Agenda Item A18. Consider taking action on requests for future agenda items. Commissioner Beard requested a discussion of whether an agenda draft be prepared and emailed to the Commission on the Tuesday before a meeting. This would be incorporated into the Rules of Commission. Commissioner Beard made the motion to include the request with Commissioner BeMent seconding the motion. The vote was unanimous.

At 7:23 p.m. the Mayor adjourned to Executive Session, as authorized by Texas Government Code, Section 551.071, Attorney Consultation.


The Commission reconvened at 8:04 p.m.

The Mayor announced there is an action that needs to be taken.

Commissioner BeMent made the motion to approve the City Attorney taking legal action to provide protection on behalf of the employees of the City of Richmond.

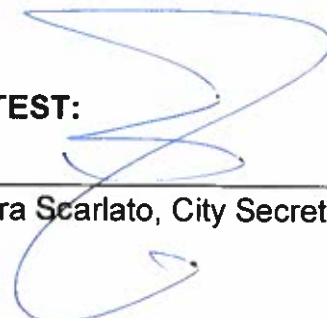
With no further business to discuss, Mayor Haas declared the meeting adjourned at 8:04 p.m.

APPROVED:



Becky K. Haas, Mayor

ATTEST:



Laura Scarlato, City Secretary