



STATE OF TEXAS
COUNTY OF FORT BEND
CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Regular Session on August 16, 2021, at 4:30 p.m.

Mayor Becky Haas proceeded to call the meeting to order at 4:31 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 "ACM"
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.
1. Francisco Alanis, 5 years of service – Meter Department.
 2. Kenneth Bartling, 5 years of service – Surface Water Treatment Department.
 3. Paxton Densmore, 5 years of service – Fire Department.
 4. Brett Hafer, 15 years of service – Fire Department.
 5. Antonio Reeder, 5 years of service – Fire Department.
 6. Steven Rychlik, 15 years of service – Police Department.
 7. Jacob Winter, 5 years of service – Fire Department.

Promotions:

Jason Bartos, Street Superintendent.
Robert Oliver, Emergency Management Coordinator.

The awards were not available therefore the employees present were recognized, and pictures will be coordinated at a later time. Both Jason Bartos and Robert Oliver were both present and congratulated.

Agenda item A4. Public Comments.

Carolyn Fields * 5322 Riverwood Drive * Richmond, Texas 77469

Ms. Fields addressed the Commission regarding Freeman Town and her thoughts on the favoritism to the north side of Richmond. Ms. Fields provided her family history and her concern for the health of the elderly in her neighborhood and the protection of their homes.

A5. Presentation on the Delinquent Tax Report from Linebarger Attorneys at Law. Finance Director Justin Alderete introduced Chip Sutton, Partner of Linebarger, Attorneys at Law. Mr. Sutton provided information regarding the recent 10/20 Write Off Report that was approved in July. The amounts to be written off were all business personal property or mobile homes. The report reflects the actions that were taken to collect the delinquent taxes. The process of when an individual passes away was explained as it is passed to the heirs. The law firm performs phone campaigns in attempt to collect. There are currently 28 accounts in litigation, 7 bankruptcy cases, 44 tax deferrals and 30 payment agreements. The total collections for the 20-21 period less the amount of those taxes that were used to pay refunds on other tax accounts totaled \$133,888. The delinquency taxes through July 1, 2021, totals \$432,547. There was a brief question and answer period, and the agenda item was closed.

A6. Presentation on Economic Development Opportunities to fund a City Hall. Commissioner Beard requested the item be postponed to a later date.

A7. Presentation on Workforce Housing Development from Atlantic Housing. Mr. Kent Foster, Director of Development and Acquisitions for the Atlantic Housing Foundation addressed the Commission regarding the project. Also available for comments was Roger Adamson, CEO of the George Foundation. Mr. Foster provided updates from the previous presentation and share their continued interest in developing this project in the City of Richmond. Affordable housing is the primary focus of Atlantic Housing Foundation and is a 501c3 organization. They have provided \$9.4 million in scholarships. The property will be a quality gated community with ample parking. The Foundation is guaranteed to own the property for 15 years at which time a revamp will be completed and an additional 15 year commitment will be made. The tenants will be required to qualify based on income. There are 224 units in the project. The foundation will provide \$50,000 per year for the 15-year life of the project to assist with the City's incremental costs such as the streets. Mr. Adamson confirmed that the George Foundation is committed to \$50,000 for each of the first three years with a potential matching amount from the Henderson Wessendorff Foundation. The questions from the Commission addressed parking, and drainage. Mayor Becky Haas stated she wished the project was already built. The agenda item was closed.

Agenda item A8. Public Hearing to receive comments for or against a request by Vincent Ramos (owner of the subject site) for a Conditional Use Permit to allow the operation of a counselling and training center at the subject site located at 1117 Powell Street; to revoke the existing Conditional Use Permit allowing a resale store; and to the extent the Conditional Use Permit deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. There were no citizens signed up to speak therefore, the agenda item was closed.

Agenda item A9. CONSENT AGENDA

Mayor Haas asked for items to pull for discussion:

Commissioner Beard – A9 (3)
Commissioner Gaul - Nothing
Commissioner Drozd – Nothing
Commissioner BeMent - Nothing

The motion was made by Commission Drozd to approve A9 (1) – (15) with the exception of (3). Commissioner BeMent seconded the motion and the vote was unanimous to approve.

- ❖ A9 (3) Commissioner Beard pointed out Beat 3 Report by Christian Wertheimer. The report identified a citizen that stated he had lived in Richmond the majority of his life. He was very pleased with the Richmond Police Department and considers Richmond to be a much nicer place to live compared to five years ago. Commissioner Beard stated that we all get caught up in the details, but our goals are to make Richmond a nicer place to live for everyone. This should be remembered.

The motion was made by Commissioner Beard to approve A9 (3) with Commissioner Gaul seconding the motion. The vote was unanimous to approve.

REGULAR AGENDA

Agenda item A10. Review and consider taking action authorizing the City Manager to negotiate a contract for a delinquent court collections firm. Finance Director Alderete stated the City received three bids upon newspaper publication. The firm that was ranked the highest by staff was Perdue Brandon. In an effort to provide the City with the best vendor, request for proposals (RFP) was made since the current contract had been in place since August 2, 2015. Commissioner Drozd inquired if during the process a new company was selected, what the transition would look like. City Manager Vela stated it would be much like the change of auditor process. The motion was made by Commissioner Drozd to approve authorizing the City Manager to negotiate a contract for a delinquent court collections firm. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A11. Review and consider taking action on Ordinance No. 2021-16, approving Conditional Use Permit to allow the operation of a counselling and training center at the subject site located at 1117 Powell Street; and to revoke the existing Conditional Use Permit allowing a

resale store; and to the extent the Conditional Use Permit deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. City Planner Jose Abraham provided the background of the property being a commercial business at the time the City adopted zoning. Since that time, the business closed but is now wanting to reopen as a non-profit counseling and training center. The building will remain commercial by its design, and it currently meets the parking standards of the UDC. Commissioner Beard stated that going forward develop a process for considering CUPs in order to be consistent. Commissioner Beard made the motion to approve Ordinance No. 2021-16, approving a Conditional Use Permit to allow the operation of a counselling and training center at 1117 Powell Street; and to revoke the existing Conditional Use Permit allowing a resale; and to the extent the Conditional Use Permit deviates from the Future Land use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

Agenda item A12. Review and consider taking action on authorizing the City Manager to negotiate a contract with PGAL for the design of the interior build-out of a portion of the building at 1116 Myrtle Street. ACM Howard Christian addressed the PGAL contract stating the contract would provide a design of the Myrtle Building and alleviate some of the crowding of staff at the City Hall and the Annex. It was asked what the procedure would be if the contract was not approved. The project would be pushed back 3-4 months with a publication to solicit qualifications, review process and then approval. City Manager Vela indicated staff was hoping to complete the project allowing for additional space for staff, a conference room and marketing possibilities for the Economic Development Director. There was information provided from the Texas Government Code as to purchasing policies from both the Finance Director Alderete and City Attorney Smith. The City of Richmond adopted its own policy of greater than \$50,000. Commissioner Drozd stated there is a difference between an RFQ and a RFP and doesn't feel the concept is being grasped. Commissioner Drozd made the motion to authorize the City Manager to negotiate a contract with PGAL for the design of the interior build-out of a portion of the building in the amount of \$64,195 at 1116 Myrtle Street. Commissioner Gaul seconded the motion, and the vote was as follows:

Commissioner Gaul	Favor
Commissioner Beard	Against
Commissioner Drozd	Favor
Commissioner BeMent	Against
Mayor Haas (Tie Breaker)	Favor

The motion passed.

Agenda item A13. Review and consider taking action on the development agreement with Meritage Homes for Wall Street Project. City Manager Vela addressed the proposed development agreement stating that changes had been made to the agreement due to experiences the City had dealt with for the Veranda and Mandola projects. City Attorney Gary Smith introduced Mr. David Jordan, Senior Vice President of Meritage Homes. City Attorney Smith stated the first milestone would be to request annexation to be included in the city limits. The lots are 6,000 sq. ft. with a 50 ft frontage. The infrastructure will meet the standards of the City such as water, wastewater, and drainage. There are provisions in place to protect the City

with a one-year warranty and 162 lots being all single family with an average home value of \$344,000. Commissioner BeMent stated the project equates to \$55 million in taxable value on the ground. The commercial piece currently resides in the City limits was inquired by Commissioner Drozd. City Attorney Smith stated the agreement follows the City which uses the Texas Commission on Environmental Quality (TCEQ) rules to govern how a Municipal Utility District (MUD) can reimburse a developer in response to Commissioner Beard. Commissioner BeMent made the motion to approve the Development Agreement with Meritage Homes for the Wall Street Project. Commissioner Beard seconded the motion, and the vote was unanimous to approve.

Agenda item A14. Review and consider taking action on or related County suit against Governor Abbott and County Judge Emergency Orders. City Manager Vela stated the Commission discussed the orders in length at the morning meeting. City Attorney Smith stated that based on the conversation at the morning meeting, the Texas Supreme Court order was pulled. On August 15, 2021, the Attorney General issued a Stay of the orders in the Dallas County case and the Bexar County case. The Fort Bend County judges orders only expressly apply to County facilities and has no impact on the City of Richmond facilities or its merchants. Commissioner BeMent commented the City must remain vigilant in protecting the citizens and their rights. Commissioner Drozd stated the City follows the state and not Fort Bend County. Commissioner Gaul provided his support of communication to the citizens and business owners to alleviate any confusion for the citizens. Mayor Haas affirmed a statement is necessary and should reference Governor Abbot's Executive Order No. GA-38 and the City of Richmond Ordinance No. 2020-16, adopting the executive orders of Governor Abbott in response to the COVID 19 Pandemic. This was a discussion item only therefore no action was taken, and the item was closed.

Agenda item A15. Excuse from Attendance at Regular City Commission Meeting. None to approve.

Agenda item A16. Consider taking action on requests for future agenda items. Commissioner Beard requested the City Hall update from the Economic Development Director be placed on the agenda. Commissioner Gaul would like feedback from the City Manager and staff summarizing the price for Fire Protection Services by MUDs per household versus the households in the City Limits. Households in the City Limits services are paid through taxes. A cost comparison would be appreciated. Commissioner Gaul made the motion to include these two items on a future agenda. Commissioner Beard seconded the motion, and the vote was unanimous to approve.

A17. Adjourn to Executive Session, as authorized by Texas Government Code, Sections 551.071 Consultation with Attorney and 551.074, Personnel Matters: and 551.087, Economic Development Negotiations. The Commission Adjourned at 6:15 p.m.

The Commission reconvened in open session at 7:40 p.m. The following action was taken as Mayor Haas requested a motion to be made for items discussed in Executive Session.

Commissioner Beard made the motion to approve the Development Agreement for Project Slice. Commissioner Gaul seconded the motion.

Commissioner Gaul made the motion to approve salary increases for the City Manager Terri Vela and City Attorney Gary Smith in conforming to the salary increases for City Staff.

With no further business to discuss, Mayor Haas declared the meeting adjourned at 7:43 p.m.

APPROVED:



Becky K. Haas, Mayor

ATTEST:

Laura Scarlato, City Secretary