



STATE OF TEXAS  
COUNTY OF FORT BEND  
CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Regular Session on December 20, 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 "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 pledges.

Agenda item A3. Presentations. None

A4. Mayor, City Commissioners and City Staff Announcements per Sec. 551.0415 of the Texas Government Code.

- Commissioner Beard congratulated the Police Department for Behind the Badge event.
- Mayor Haas noted that 2022 is the 200<sup>th</sup> anniversary of the fort being built on the banks of the Brazos River to be named Fort Bend Settlement. City Manager Vela noted that Richmond will be celebrating 185 years since being incorporated and becoming the county seat in 1837.

Agenda item A5. Public Comments.

- Robert Haas, 1716 Magnolia Lane, Richmond, TX spoke regarding the tree maintenance within Olde Town stating most homeowners cannot afford to maintain the trees.
- Ben Svoboda, 3255 Persimmon Grove, Richmond, TX spoke regarding the commercial property on F.M. 762 formerly the Thompson house. Construction, increased traffic, drainage, and lighting of the project have all become an issue for the property owners in Del Webb that are adjacent.
- Brian Voegele, 3250 Persimmon Grove, Richmond, TX built on the previous speakers' complaints, also stating they purchased the property with green space and now it is commercial. The property values will be affected as well as an increase in crime.

**Mayor Haas moved agenda item A23 to this point in the meeting.**

Agenda item A23. Review and discuss Ordinance No. 2021-31, Reclaimed Water Agreement with MUD 215, Veranda.

ACM Howard Christian provided the background of the Wastewater Re-Use System at the Regional Wastewater Treatment Plant that became operational in 2015. The utilization of the reclaimed water use creates over conversion credits for the City from the Fort Bend Subsidence District. The accumulated credits will be utilized to push out the timeline for the conversion of additional groundwater reduction requirements. Currently the City has accumulated three year's worth of credit towards the proposed 60 percent conversion requirement in 2025. The current budget includes the funding necessary to build the enhancements that will allow MUD 215 to switch from domestic water irrigation to reclaimed water irrigation. Some of the highlights of the agreement were discussed; no re-sale of reclaimed water, 10-year term, District to pay the current rate of \$1.60/1,000 gallons and the City will provide up to 400,000 gallons/day. There was a lengthy discussion regarding the length of time to recover costs, providing for others in the future and that the City would retain control of the system. It was stated the viable life of the system would be 15-20 years. City Manager Vela stated the agreement creates the structure that the City needs to provide water to others. There was no action taken on this item.

Agenda item A6. Update on the upcoming Bond Issuance with Timeline.

Finance Director Justin Alderete addressed the commission stating during the budget process a new fire truck was approved. Since that time, staff has requested two fire trucks which take approximately 18 months to build. The City has two fire trucks that are 19 and 26 years old with \$50,000 spent on repairs in 2021. The desire is to lock in the current price and low interest rates. The utility projects were identified as part of the approved Capital Improvement Plan. By packaging the utility projects and the new fire trucks together, the issuance cost would be lower. Director Alderete reviewed the timeline for the issuance of bonds with March 22, 2022, being the date for delivery of funds and closing. There was a discussion with no action taken on the item.

**Mayor Haas moved agenda item A19 and A20 to this point in the meeting.**

Agenda item A19. Review and discuss taking action on Resolution No. 391-2021, provide notice of Intent to issue Certificates of Obligation Bonds.

Finance Director Alderete explained as part of the bond issuance process, there is a requirement to publish notice at least 46 days before the date tentatively set for the issuance of the certificates of obligation for two consecutive weeks in the local newspaper. Commissioner Drozd made the motion to approve Resolution No. 391-2021 authorizing the publication of Notice of Intention to issue Certificates of Obligation as February 23, 2022. Commissioner Beard seconded the motion, and the vote was unanimous to approve.

Agenda item A20. Review and consider taking action on Resolution No. 392-2021, providing a notice of intent to reimburse the City for any cost incurred prior to the sale of bonds for capital projects.

Finance Director Alderete recommended the Commission approve the resolution to allow the City to pay itself back from bond proceeds if any money is spent on projects prior to the bonds being sold. This is as a result of the timing of completion of projects. Commissioner BeMent made the motion to approve Resolution No. 392-2021, providing a notice of intent to reimburse the City for any cost incurred prior to the sale of bonds for capital projects. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A7. Public Hearing to receive comments for or against a Strategic Partnership Agreement with Municipal Utility District No. 251.

There were no citizens signed up to speak therefore, the agenda item was closed.

Agenda item A8. Public hearing to receive comments for or against a request by Meritage Homes to rezone an approximate 45.135-acre tract of land from Business Park (BP) to General Residential (GR) 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 along F.M. 2218 at Wall Street, south of Wal- Mart.

There were no citizens signed up to speak therefore, the agenda item was closed.

Agenda item A9. Public hearing to receive comments for or against a request by NewQuest Properties to rezone an approximate 1.7709-acre tract of land from Suburban Residential (SR) to General Commercial (GC) 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 the northern corner of F.M. 762 (Thompson Road) and Circle Oak Parkway intersection.

The citizens present spoke during agenda item A5, public comments.

Mr. Voegele made an additional comment that not every piece of land needs to be developed.

There were no additional citizens signed up to speak therefore, the agenda item was closed.

**Mayor Haas moved agenda item A25 to this point in the meeting.**

Agenda item A25. Review and consider taking action on Ordinance No. 2021-28, rezoning an approximate 1.7709-acre tract of land from Suburban Residential (SR) to General Commercial (GC) 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 the northern corner of F.M. 762 (Thompson Road) and Circle Oak Parkway intersection.

City Planner Jose Abraham addressed the Commission stating the rezoning is part of the annexation process. The subject site was annexed into the city limits by the Commission on October 18, 2021. The request to rezone will align the UDC and the Future Land Use Plan. There was a discussion regarding the drainage, light pollution, and the Commission was assured these issues will be brought to the developer. Commissioner BeMent made the motion to approve Ordinance No. 2021-28, rezoning an approximate 1,7709-acre tract of land from SR to GC and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. Commissioner Beard seconded the motion and the vote was unanimous to approve.

Agenda item A10. Public hearing to receive comments for or against text amendments to the Unified Development Code, to include certain changes to fence regulations. The specific sections to be amended includes:

1. Section 5.2.101, Fences and Walls;
2. Section 6.3.311, Fence Permit;
3. Chapter 7, Measurements and Words.

There were no citizens signed up to speak therefore, the agenda item was closed.

Agenda item A11. Public hearing to receive comments for or against text amendments to the Unified Development Code, to include certain changes to parking requirements and standards. The proposed changes primarily pertain to allowance of on-street parking within OT, Olde Town District. The specific section to be amended includes:

1. Section 4.2.103, Alternatives or Modifications to Required Parking.

There were no citizens signed up to speak therefore, the agenda item was closed.

#### Agenda item A12. CONSENT AGENDA

There were no items pulled for discussion.

Commissioner Gaul made the motion to approve the Consent Agenda items A12 (1-12), with Commissioner Drozd seconding the motion. The vote was unanimous to approve.

City Manager made mention of the January Commission meeting being on January 18, 2022 which is a Tuesday due to the Martin Luther King Day holiday on Monday.

#### REGULAR AGENDA

Agenda item A13. Review and consider taking action on Resolution No. 386-2021, appointment of Board Members to the Richmond Historical Commission.

City Manager Vela stated that Payton McGee was originally interviewed for the Parks and Recreation Board however, during the interview the interview committee inquired if there was an interest in serving on the Richmond Historical Commission due to his business being located in the Historic District. Commissioner BeMent made the motion to approve Resolution No. 386-2021, appointment of Board Members to the Richmond Historical Commission.

The members appointed are as follows:

Position 1	Lonnie Meadows	12.20.21 – 12.31.23
Position 2	Jackie Atkinson	12.20.21 – 12.31.22
Position 3	Carol Edwards	12.20.21 – 12.31.23
Position 4	Payton McGee	12.20.21 – 12.31.22
Position 5	Gary Gillen	12.20.21 – 12.31.23
Alternate	David Smith	12.20.21 – 12.31.22

Agenda A14. Review and consider taking action on Resolution No. 387-2021, appointment of Board Members to the Planning and Zoning Commission.

It was stated that the Planning and Zoning Commission is the only board where all members are required to reside in the city limits. City Manager Vela stated there were numerous qualified candidates, but they lived in the Extraterritorial Jurisdiction (ETJ). Commissioner Drozd made the motion to approve the Resolution No. 387-2021, appointment of Board Members to the Planning and Zoning Commission. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

The members appointed are as follows:

Position 1	Katherine M. Graeber-Kubelka	12.20.21 – 12.31.23
Position 2	Juan Martinez	12.20.21 – 12.31.22
Position 3	Aimee Frederick	12.20.21 – 12.31.23
Position 4	David Randolph	12.20.21 – 12.31.22
Position 5	Noell Myska	12.20.21 – 12.31.23

Agenda item A15. Review and consider taking action on Resolution No. 388-2021, appointment of Board Members to the Zoning Board of Adjustment.

There was no discussion. Commissioner Gaul made the motion to approve Resolution No. 388-2021, appointment of Board Members to the Zoning Board of Adjustment. Commissioner Beard seconded the motion and the vote was unanimous to approve.

The members appointed are as follows:

Position 1	Stephen Doggett	12.20.21 – 12.31.23
Position 2	Ben Mund	12.20.21 – 12.31.22
Position 3	Michael Scherer	12.20.21 – 12.31.23
Position 4	Lillian Gray	12.20.21 – 12.31.22
Position 5	Ralph Gonzalez	12.20.21 – 12.31.23
Alternate	Nicholas Guerrero	12.20.21 – 12.31.22

Agenda item A16. Review and consider taking action on Resolution No. 389-2021, appointment of Board Member to the Fort Bend Subsidence District

Commissioner Gaul made the motion to postpone the appointment until January 18, 2022, Regular Commission Meeting. Commissioner Drozd seconded the motion, and the vote was unanimous to approve.

Agenda item A17. Review and discuss proposed changes to the Substandard Structure Ordinance and Junk Vehicle, Mowing, Trash Removal and other Nuisance Ordinances.

City Manager Vela requested a discussion to gain feedback for the suggestion that the Building and Standards Commission serve as the boards for Construction Board of Adjustments and Appeals and Electrical Board of Adjustments and Appeals. There was a brief discussion. Scott Fajkus, Assistant Building Official reviewed the proposed changes to Chapter 22, Nuisances, that would better address specific code violations

that pose risks and danger to the citizens. It was requested that the Commission provide comments and the item will be brought back on a future agenda. There was no action taken.

Agenda item A18. Review and consider taking action on Resolution No. 390-2021, selecting a grant administrator to assist the City in its administration of funding from the U.S. Department of Treasury for the American Rescue Plan Act of 2021.

Finance Director Alderete stated the City received an award as a non-entitlement entity through the American Rescue Plan Act (ARPA). They are distributed in two tranches. The qualifications were provided to be eligible for the funds. Staff is recommending Traylor and Associates as the grant administrator for these funds. The City received six proposals pursuant to the RFP that was published. Commissioner BeMent made the motion to award Traylor & Associates in the amount of \$89,500 for administrative services associated with the American Rescue Plan Act Program. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A21. Review and consider taking action on Resolution No. 393-2021, adopting a Federal Procurement Policy.

Finance Director Alderete addressed the Commission stating the City must adopt a purchasing policy that outlines how it will comply with the Code of Regulations in order to spend the federal funds received under the ARPA. Commissioner Drozd made the motion to adopt Resolution No. 393-2021, adopting a Federal Procurement Policy to ensure compliance with federal procurement laws. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

Agenda item A22. Review and consider taking action on Resolution No. 394-2021, Interlocal Cooperation Agreement for the Collection of Taxes with Fort Bend County Tax Assessor/Collector.

City Attorney Gary Smith stated the language had been revised since the morning workshop. Finance Director Alderete stated the fee for collecting the taxes is very nominal. Commissioner BeMent made the motion to approve the Resolution no. 394-2021, Interlocal Cooperation Agreement for the Collection of Taxes with Fort Bend County Tax Assessor/Collector. Commissioner Drozd seconded the motion, and the vote was unanimous to approve.

Agenda item A24. Review and consider taking action on Ordinance No. 2021-27, rezoning an approximate 45.135-acre tract of land from Business Park (BP) to General Residential (GR) and to the extent the zoning deviates from the Future Land Use Plan

of the Comprehensive Master Plan, to provide for an amendment thereto. The subject site is located along F.M. 2218 at Wall Street, south of Wal-Mart.

Oanh Nguyen, Planner II with the Planning Department provided the background for the property. The subject site is for a proposed residential subdivision with 160+ lots. Commissioner Beard made the motion to approve Ordinance No. 2021-27, rezoning an approximate 45.135-acre tract of land from Business Park (BP) to General Residential (GR) and to the extent the zoning deviates from the Future Land Use Plan of the Comprehensive Master Plan, to provide for an amendment thereto. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A26. Review and consider taking action on Ordinance No. 2021-29, adopting text amendments to the Unified Development Code to include certain changes to fence regulations. The specific sections to be amended includes:

1. Section 5.2.101, Fences and Walls;
2. Section 6.3.311, Fence Permit;
3. Chapter 7, Measurements and Words.

City Planner Abraham addressed the Commission indicating the amendments are to provide more clarity on fence permit regulations. There was a discussion as to the fence height and the wording in the ordinance. Commissioner Beard made the motion to approve Ordinance No. 2021-29, amending Section 5.2.101 Fences and walls, Section 6.3.311 Fence Permit and Section 7.1.300 Definitions, of the Unified Development Code of the Richmond Code to adopt regulations pertaining to fences and walls; providing for a repealer clause, providing for a penalty clause; providing for a severability clause; and providing for an effective date. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A27. Review and consider taking action on Ordinance No. 2021-30, adopting text amendments to the Unified Development Code parking requirements and standards. The proposed changes primarily pertain to allowance of on-street parking within OT, Old Town District. The specific section to be amended includes:

1. Section 4.2.103, Alternatives of Modifications to Required Parking.

City Planner Abraham provided the two components suggested for change. 1.) To include language to consider existing angled on-street parking spaces to on-street parking allowance for non-residential uses. 2.) To include language to allow construction of parking spaces for non-residential uses within right-of-way upon approval by City Commission and meeting specific requirements. There was a lengthy discussion. Commissioner Beard recused himself from the discussion due to the relationship with a business owner in OT. Commissioner BeMent made the motion to



approve Ordinance No. 2021-30, amending Section 4.2.103, alternatives or modifications to required parking, of the Unified Development Code of the Richmond Code to adopt regulations pertaining to on-street parking; providing for a repealer clause; providing for a penalty clause; providing for a severability clause; and providing for an effective date. Commissioner Gaul seconded the motion. The vote was as follows:

Commissioner Gaul	For
Commissioner Beard	Abstain
Commissioner Drozd	For
Commissioner BeMent	For

Agenda item A28. Review and consider taking action on the first reading of Resolution No. 395-2021, authorizing the expenditure of funds by the Development Corporation of Richmond for a hotel/convention center project.

Economic Development Director Jerry Jones provided the background history of the project stating the proposed Battleship project had been approved by the Development Corporation on August 10, 2021, with the Commission approving the Memorandum of Understanding on August 11, 2021. Two public notices have been published and both parties are comfortable with the agreement. Commissioner BeMent made the motion to approve Resolution No. 395-2021, authorizing the expenditure of funds by the Development Corporation of Richmond for a hotel/convention center project. Commissioner Beard seconded the motion, and the vote was unanimous to approve.

Agenda item A29. Review and consider taking action on Resolution No. 396-2021, approving the Groundwater Reduction Plan Participation Agreement with Aqua Texas, Inc. for Shadow Grove subdivision.

ACM Howard Christian provided the history of the Groundwater Reduction Plan (GRP) that occurred in 2010 to meet the Fort Bend Subsidence District regulations mandate for groundwater withdrawal reduction. Aqua Texas, Inc. was not an original participant in the GRP but are now requesting to become a member. There will be a "catch up" fee for those that did not participate from the beginning. Commissioner Drozd made the motion to approve Resolution NO. 396-2021, approving the Groundwater Reduction Plan Participation Agreement as amended with section 8.2(d). Commissioner Beard seconded the motion, and the vote was unanimous to approve.


Agenda item A30. Excuse form Attendance at Regular City Commission Meeting. There were no absences to consider.

Agenda item A31. Consider taking action on requests for future agenda items.

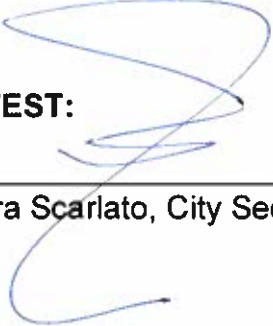
- Consider ways to take advantage with infrastructure funding from Federal Funds. (Commissioner BeMent)
- Revisit the Homestead Exemptions for over 65. (Mayor Haas)

With no further business to discuss, Mayor Haas declared the meeting adjourned at 7:08 p.m.

**APPROVED:**

  
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Becky K. Haas, Mayor

**ATTEST:**

  
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Laura Scarlato, City Secretary