



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 18, 2022, 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 in person meeting.

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. Employee Recognition for Service with the City of Richmond:

- Trevor Adkisson – 15 Years – Fire Department.

Trevor was present to be honored and took pictures with the Mayor.

- Proclamation – Mothers Against Drunk Driving Awareness

The Mayor read the proclamation and urged everyone to visit with their teens and reduce the number of fatalities from driving intoxicated.

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

Agenda item A5, Public Comments.

- Bruce Gilman, 3118 Grey Hawk Cove, Richmond, Texas 77469
- Larry Girven, 2806 Wild Olive Way, Richmond, Texas 77469
- **Joan Williams McLeod, 53 Cedar Lawn Circle, Galveston, TX 77551**
- Orlando Jair Flores, 1714 Clifton Hills Lane, Richmond, Texas 77469
- Ali Khan, 22531 Strathmore Dr., Richmond, Texas 77469
- Gary Gantt, 3110 Capote Peak Way, Richmond, Texas 77469
- Cathy Buhrke, 3103 Lacewing Way, Richmond, Texas 77469

All of the speakers with the exception of Joan Williams McLeod spoke against the approval of the variance. The reasons cited were air, noise and land pollution as well as the UDC definition of General Commercial not being defined as industrial. The variance request does not conform to the future land use plan. There were numerous issues provided for not approving the preliminary plat and variance. Joan Williams McLeod spoke in favor of the approval and is also the landowner.

Agenda item A6, Consent Agenda.

Mayor Haas requested items to be pulled for discussion from the Consent Agenda.

No items were pulled for discussion.

Commissioner Gaul made the motion to approve Consent Agenda items A6, 1 -11. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

Agenda item A7, Review and consider taking action on a Preliminary Plat and associated plat variance – Williams Ranch Business Park – 73.295 acres of land – 1 Block – 0 Lots – 4 Reserves. The subject site is located along the north side of Highway 59 and to the south of Williams Ranch and east of Del Webb residential subdivisions.

The Mayor read the following prepared statement:

“First of all, I want to thank, Jose, for his hard work on this, you and your team have done excellent. I’ve heard nothing but good things and praise about how professional you are and how you give timely, accurate details. Today, the only matter for the commission, that we can legally address, is the plat and a variance to the city’s UDC requirements in regard to this submitted plat.

State law governs how plats must be handled and the city is obligated to follow these laws.

There has been and continues to be a lot of interest in the proposed use of this property however today is not the day that will be discussed.

*The concept plan that was submitted with the application plan is not **part** of the actual plat and to me it doesn’t even come close to following the city’s UDC site plan.*

Again, that is a discussion we will have another day.

*By state law, the city **can't enforce zoning or "use laws" outside its city limits.***

*However, the **city does have a strong set of requirements in its UDC and Standards that dictate how a development must be configured and built... and those ARE enforceable in our ETJ.***

*A variance is being asked to eliminate a thru access via a...**eliminate thru access via a public street. Truck and trailer thru the neighborhood on Andado Lane is regulated by the county.***

*The **variance is my main concern.** Granting any **variances, except in extreme circumstances are never a good idea.** It **guts and weakens** the city's **regulations, and it nullifies the rules.** Any **variances approved set the precedents allowing others** to attempt to use the same.*

*The **connectivity requirements are set** by the city and county **for good reason.** I for one, will not approve any provision which will cut this neighborhood off from additional access or involve a gate of any kind.*

We may not have had a choice in the last access issue, but right now we have total control and choice over this additional access. I'd hate for my name to be associated with anything less.

It is my opinion, that the variance be denied and in turn non-approval of the plat as submitted.

Respectfully I ask we confine our discussion to the variance and plat at hand.

And to our visitors, please allow us to work thru this without any comments or outbursts from the floor. I assure you that the opinions of both sides have been heard. "

At 4:59 p.m. the Mayor adjourned to Executive Session, as authorized by Texas Government Code, Section 551.071, Consultation with Attorney

The Commission reconvened at 5:28 p.m.

There was no action taken in Executive Session as announced by Mayor Haas.

Commissioner Beard made the motion to deny the Plat Variance and to not approve the Preliminary Plat for the Williams Ranch Business Park. Commissioner BeMent seconded the motion, and the vote was unanimous.

Agenda item A8, Review and consider taking action on a Preliminary Plat – Indigo Section 1 – 108.6 acres of land – 13 Blocks – 243 Lots – 29 Reserves. The subject site is a section within a proposed Master Planned Community located between Harlem Road and Grand Parkway, south of Owens Road.

Commissioner BeMent made the motion to approve the Preliminary Plat – Indigo Section 1 – 108.6 acres of land – 13 Blocks – 243 Lots – 29 Reserves subject to the conditions listed by Planning and Zoning and staff. Commissioner Gaul seconded the motion. The Mayor proceeded to ask for discussion. Under section 3, please add the word "edge" before right of way for clarification. Commissioner Beard made the motion to amend his previous motion to include the word "edge" with Commissioner Gaul seconding the motion. The vote was unanimous to approve.

Agenda item A9, Review and consider taking action on a Preliminary Plat – Kingdom Heights Section Seven – 72.080 acres of land – 6 Blocks – 159 Lots – 4 Reserves. The subject site is a section within the Kingdom Heights Master Planned Community located along the east side of FM 723.

Commissioner Gaul made the motion to approve Preliminary Plat – Kingdom Heights Section Seven – 72.080 acres of land – 6 Blocks – 159 Lots – 4 Reserves subject to the conditions explained in Planning and Zoning. Commissioner Beard seconded the motion and the vote was unanimous to approve. The Mayor proceeded to ask for discussion. There was a brief discussion.

Agenda item A10, Review and consider taking action on a Preliminary Plat – Wall Street Village – 45.131 acres of land – 4 Blocks – 151 Lots – 3 Reserves. The subject site is located at the southeastern portion of FM 2218 and Wall St. intersection, south of Walmart.

Commissioner Gaul made the motion to approve Preliminary Plat – Wall Street Village – 45.131 acres of land – 4 Blocks 151 Lots – 3 Reserves subject to conditions described in Planning and Zoning. Commissioner Beard seconded the motion, and the vote was unanimous to approve. The Mayor proceeded to ask for discussion and there was none.

Agenda item A11, Review and consider taking action on the Quarterly Financial Report and Quarterly Investment Report (copies are enclosed).

City Manager Vela introduced the item stating it would be presented by Finance Director Alderete along with the Hotel Occupancy Tax (HOT) Report. Revenues are trending in line with historical values. The net collections are higher than what was received the prior year. The City will participate in a 16-month sales tax repayment agreement however the funds were set aside and will have no effect on the budget. The expenditures are lower than budgeted. The weighted average yield to maturity is 0.32% which is inline with the benchmark.

Commissioner BeMent made the motion to approve the Quarterly Financial Report and Quarterly Investment Report with Commissioner Beard seconding the motion. The vote was unanimous to approve.

Agenda item A12, Review and consider taking action on authorizing the City Manager to negotiate a contract for Depository Services.

Commissioner Drozd made the motion to approve the authorization of the City Manager to negotiate a contract for Depository Services with Wells Fargo Bank. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

Agenda items A13, Review and consider taking action on Ordinance No. 2022-03, amending Article IV of Chapter 22 “Nuisances” of the City Code to rename the Article

and amend regulations of public nuisances related to trees, rubbish, weeds, drainage easements, and sewage.

Commissioner Gaul made the motion to approve Ordinance No. 2022-03, amending Article IV of Chapter 22 “Nuisances” of the City Code to rename the Article and amend regulations of public nuisances related to trees, rubbish, weeds, drainage easements, and sewage. Commissioner BeMent seconded the motion, and the vote was unanimous to approve. The Mayor then requested discussion. City Attorney Gary Smith was commended for persevering over the past few months and compiling a document that the Commission could agree on and that Code Enforcement could enforce according to Scott Fajkus.

Agenda item A14, Review and consider taking action on Ordinance No. 2022-06, amending Chapter 6 “Animals” of the City Code to provide regulations relating to the care and control of animals including provisions related to community cats and dangerous dogs.

City Attorney Smith provided the items that had been removed from the ordinance per the Commission’s request. At this time, it was thought to not be in final form. Police Chief Jeff Craig addressed the Commission stating having clear criteria as to how the police should respond would be favorable. Commissioner Beard made the motion to postpone taking action on Ordinance No. 2022-06, amending Chapter 6 “Animals” of the City Code to provide regulations relating to the care and control of animals including provisions related to community cats and dangerous dogs. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

Agenda item A15, Review and consider taking action on authorizing the City Manger to execute a contract for the surface water transmission line.

Assistant City Manager Howard Christian addressed the Commission stating the City solicited Request for Qualifications (RFQ) for Engineering Services to design the new Surface Water Transmission Line – Capital Improvement Project WA2206. The project is in coordination with the City’s Utility Master Plan. The project was identified to provide surface water more efficiently to the east side of the Brazos River. The existing surface water transmission line provides surface water primarily to the south part of Richmond, west of the Brazos River. The City received 16 firms and through the selection process, two firms were chosen to be interviewed. ARKK Engineering firm was ultimately chosen to be awarded the contract for engineering design. There was a brief conversation regarding the timing and other concerns.

Commissioner Beard made the motion to postpone the execution of the contract for the surface water transmission line until it is known who pays for the resources, costs, and

the rank in priority. Commissioner _____ seconded the motion. The vote was as follows:

- Commissioner Beard Favor of Postponing
- Commissioner BeMent Favor of Postponing
- Commissioner Gaul Oppose Postponing
- Commissioner Drozd Oppose Postponing
- Mayor Haas Oppose Postponing

There was more discussion with it being stated the infrastructure needs to be provided for staff to be ready for the next phase of planning.

Commissioner Gaul made the motion to **reconsider** the previous action to postpone. Commissioner Beard seconded the motion. The vote was as follows:

- Commissioner Gaul Favor of Reconsidering
- Commissioner BeMent Favor of Reconsidering
- Commissioner Beard Favor of Reconsidering
- Commissioner Drozd Oppose Reconsidering

The motion to postpone the execution of the contract for the surface water transmission line returned to the floor. The vote was as follows:

- Commissioner Gaul Favor of Postponing
- Commissioner BeMent Favor of Postponing
- Commissioner Beard Favor of Postponing
- Commissioner Drozd Oppose Postponing

The motion passed and the contract will be postponed until a later date.

Agenda item A16, Review and discuss Parks and Recreation Board Report.

There was discussion with Parks and Recreation Chairman Robert Haas addressing the Commission. The Seguin Park is in the conceptual phase and the name is just a placeholder at this time. The league contracts are currently being reviewed to be more consistent. No action was necessary for this item.

Agenda item A17, Excuse from Attendance at Regular City Commission Meeting.

There were no absences to be excused.

Agenda item A18, Consider taking action on request for future agenda items, next Commission meeting we will include a discussion on General Residential Zoning District and Warrant Reduction Program.

Commissioner Beard requested there be a discussion on multi-family apartments and reintroduce rental registration on homes and a clear definition of “warehousing” be provided.

Mayor Becky Haas made the motion to include the suggested future agenda items for the next Commission meeting. Commissioner BeMent seconded the motion. Commissioner BeMent made the motion to amend the motion to include the multi-family apartments item to a Commission meeting in June 2022. Commissioner Gaul seconded the motion, and the vote was unanimous.

With no further business to discuss, Mayor Haas declared the meeting adjourned at 6:26 p.m.

APPROVED:



Becky K. Haas, Mayor

ATTEST:

Laura Scarlato, City Secretary