



STATE OF TEXAS
COUNTY OF FORT BEND
CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Regular Session on July 18, 2022, at 4:30 p.m.

Mayor Becky Haas proceeded to call the meeting to order at 4:32 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" - Absent
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:

- Elton Bellard – 10 Years – Wastewater Treatment Department. - Not Present
- John Schoellmann – 5 Years – Water Distribution Department.

John was present to receive the award and be photographed with the Mayor.

Proclamation:

Presentation to Honor the Richmond Fire Department and Fort Bend County Sheriff's Office from Del Webb Sweetgrass Neighborhood Watch Program.

Mary Jo Salvaggio, Del Webb/Sweetgrass Community Representative presented a proclamation to Fort Bend County Sheriff Eric Fagan and Deputy Gerard Argao. Steve

Priska presented to Captain David Clary and Paul Shkedy presented to Richmond Fire Chief Mike Youngblood. The Community honored the two departments for their outstanding service and expressed gratitude for their continued support.

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

There were no announcements.

Agenda item A5, Public Comments. There were no citizens signed up to speak.

Agenda item A6, Update on Fire Protection with the discussion with Fort Bend County.

The City requested to be on the Fort Bend County Commission Agenda following the conversations with Mark Flathouse, FBC Emergency Management. The item was placed on the County Commission Executive Session, subsequently placed on the regular agenda and then removed. Finance Director Justin Alderete, Fire Chief Mike Youngblood and City Manager Vela all provided input for the discussion. Five major cities have expressed interest to come together to provide a solution. The Fire Protection Agreement was established approximately 25 years ago when Fort Bend County was nowhere near what it is today. The future of the Agreement will continue to be discussed with the County.

Agenda item A7, Presentation on FY 2023 Proposed Bond Issue.

Finance Director Alderete introduced Joe Morrow, Hilltop Securities to provide the market conditions. The individual projects to be funded were reviewed starting with drainage and developer reimbursements from Veranda and Mandola. The idea of moving the bond closing date to an earlier time frame was discussed. Mr. Morrow indicated it is a legal process that starts with notice of intent with 30 days following the publication and 45 days after the bonds are sold.

Agenda item A8, File Proposed FY 2022-23 Budget per Charter, Section 7.02. Commission shall name the date and place of a public hearing and shall have it published in official newspaper no less than 10 days before – Set public hearing for Budget, Per Section 7.05 for September 8, 2022, at City Hall Annex, 600 Morton Street.

Finance Director Alderete stated the public hearing will be September 8, 2022, in the City Commission Room at 600 Morton Street. There was no discussion.

Agenda item A9, Public hearing to receive comments for or against a request by Liz Guevara Backman to rezone an approximate 0.145-acre tract of land from General Residential (GR) to Olde Town (OT) and to the extent the rezoning deviates from the Future land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located at 1203 Main Street, at the southwest corner of the Main Street and the South 12th Street intersection.

The applicant was present to answer questions. There were no questions or comments for the agenda item.

Agenda item A10, Consent Agenda.

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

There were no items pulled for discussion.

Commissioner Beard made a motion to approve Consent Agenda A10. (1) – (11). Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A11, Review and consider taking action on a Final Plat – Kingdom Heights Section Seven 72.591 acres of land – 6 Blocks – 159 Lots – 5 Reserves. The subject site is a section within the Kingdom Heights Master Planned Community located along the east side of FM 723.

Helen Landaverde, City Planner provided the Commission with the summary and the two conditions. It was stated there had been no changes from the Preliminary Plat.

Commissioner BeMent made the motion to approve the Final Plat – Kingdom Heights Section Seven 72.591 acres of land – 6 Blocks – 159 Lots – 5 Reserves. Commissioner Beard seconded the motion, and the vote was unanimous to approve.

Agenda Item A12, Review and consider taking action on a Preliminary Plat – Indigo Village Cottages – 1.356 acres of land – 1 Block – 17 Lots – 4 Reserves. The subject site is a section within the Indigo Master Planned Community located between Harlem Road and Grand Parkway, south of Owens Road.

City Planner Landaverde provided the background and recommended conditions from the Planning and Zoning Commission. It was assured project conforms to the Development Agreement. The Commission expressed their concerns and a lengthy discussion ensued.

Commissioner Drozd made at motion to approve Preliminary Plat – Indigo Village Cottages – 1.356 acres of land – 1 Block – 17 Lots – 4 Reserves. The subject site is a

section within the Indigo Master Planned Community located between Harlem Road and Grand Parkway, south of Owens Road conditional upon staff's recommendations. Commissioner Beard seconded the motion, and the vote was unanimous to approve.

Agenda item A13, Review and consider taking action on a Final Plat – Wall Street Village – 45.131 acres of land – 4 Blocks – 150 Lots – 10 Reserves. The subject site is located at the southeastern portion of FM 2218 and Wall St. intersection, south of Walmart.

City Planner Landaverde provided the background, all lot widths requirements were met and there were no variance requests. There was no discussion.

Commissioner BeMent made a motion to approve a Final Plat – Wall Street Village – 45.131 acres of land – 4 Blocks – 150 Lots – 10 Reserves. The subject site is located at the southeastern portion of FM 2218 and Wall St. intersection, south of Walmart with TxDOT's final determination for the traffic signal warranted at Wall Street and FM 2218 must be provided along with their approval for all work in their right-of-way. Commissioner Gaul seconded the motion.

Agenda item A14, Review and consider taking action on Ordinance No. 2022-22, to rezone an approximate 0.145-acre tract of land from General Residential (GR) to Olde Town (OT) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located at 1203 Main Street, at the southwest corner of the Main Street and the South 12th Street intersection.

City Planner Landaverde addressed the Commission, the subject site is a 1,265 square foot house on pier and beam foundation. The request is to allow for a small real estate business. There was a brief discussion as to reviewing all of the OT area.

Commissioner Beard made a motion to approve Ordinance No. 2022-22, to rezone an approximate 0.145-acre tract of land from General Residential (GR) to Olde Town (OT) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located at 1203 Main Street, at the southwest corner of the Main Street and the South 12th Street intersection. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

A15. Review and consider taking action on the Quarterly Financial Report and Quarterly Investment Report (copies are enclosed).

Finance Director Alderete provided the Financial Report and Investment Report. There was no discussion.

Commissioner Beard made the motion to approve the Quarterly Financial Report and Quarterly Investment Report. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A16, Review and consider taking action on 10/20 Year Write Off per Texas Property Tax Code Section 33.05 "Limitation on Collection of Taxes" and review Delinquent Tax Report provided by Linebarger, Goggan, Blair and Sampson.

Charles A. (Chip) Sutton with the Law Firm reviewed the delinquent report and the detail for the write-offs. Mr. Sutton clarified the process that is gone through to make collections. It was indicated that ALL accounts have been contacted in some method. In the future, when the reports are sent to the law firm, they will allow City staff to review the list earlier to determine if any can be resolved. The current year turnover was down \$46,154 from the previous year and the total delinquency has decreased \$81,801 for the same period. The trends are improving. Karina Andrade was also present from the Law Firm.

Commissioner Beard made the motion to approve the 10/20 Year Write Off per Texas Property Tax Code Section 33.05 "Limitation on Collection of Taxes" and accept the Delinquent Tax Report. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

Agenda item A17, Review and consider taking on Resolution No. 418-2022, adopting a schedule of fees and charges for permit, licenses, and reviews.

Commissioner Gaul mentioned the size of solar panels being exempted from needing a permit based on a minimum size. City Manager Vela indicated that some of the terms are defined in the Electrical Code with Building Official Scott Fajkus reiterating the City also adopted the International Building Codes of 2015. It was suggested to provide links for further clarification for the fees.

Commissioner Beard made the motion to approve Resolution No. 418-2022 adopting a schedule of fees and charges for Commercial Building Projects, Residential Single-Family Building projects, Plumbing Projects, Mechanical Projects, Fire Protection Projects, Public Works Fees, Engineer Plan Review Fees, Food Dealer Fees, Park Usage Fees, Providing for Severability and setting an Effective Date. Commissioner Drozd seconded the motion and the vote was unanimous to approve.

A18. Review and consider taking action on Resolution No. 419-2022, amending the policy on Board Member Appointment and Eligibility relating to vacancies.

City Manager Vela stated revised language had been provided since the morning workshop with concerns being addressed. There was no discussion.

Commissioner Beard made the motion to approve Resolution No. 419-2022, amending the policy on Board Member Appointments and Eligibility for Boards, Commissions, and Committees relating to vacancies. Commissioner BeMent seconded the motion and the vote was unanimous to approve.

Agenda item A19, Review and consider taking action on Ordinance No. 2022-21, amending Sec. 2-304 of the Richmond Code to provide for the appointment of two alternates for the Parks and Recreation Board.

No discussion was held, and no changes were made from the morning Workshop.

Commissioner Beard made a motion to approve Ordinance No. 2022-21, amending Sec. 2-304 "Appointment of Members, Term," Division 3 "Parks and Recreation Board", Article V "Commissions, Boards and Committees," of Chapter 2 "Administration," of the Code of Ordinances of the City of Richmond, Texas; Providing for the Appointment of a second alternate; Providing for severability; Providing for Effective Date; and Containing other Provisions relating to the Subject. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

Agenda item A20. Review and discuss Ordinance No. 2022-20, establishing a residential rental property registration program.

Scott Fajkus, Building Official provided the background of the proposed ordinance. A two- or three-year permit term was discussed from feedback from the morning workshop.

There was no action taken on this item.

Agenda item A21. Review and consider taking action on Resolution No. 420-2022, approving and authorizing an Interlocal Agreement with the Fort Bend Subsidence District relating to the WaterWise Program.

Scott Fajkus, Building Official addressed the Commission stating the City annually provides water conservation kits to area elementary and intermediate schools as part of their earth science curriculum. In exchange the City receives groundwater credits that help offset the groundwater reduction requirements with the Subsidence District. There was no discussion.

Commissioner BeMent made the motion to approve Resolution No. 420-2022, approving and authorizing an Interlocal Agreement with the Fort Bend Subsidence

District relating to the WaterWise Program. Commissioner Beard seconded the motion, and the vote was unanimous.

Agenda item A22, Review and consider taking action on Ordinance No. 2022-23, providing for stop signs on Seventh Street at Main Street.

Police Chief Craig assured the Commission a planned approach to review the stop signs in the City would be performed. City Attorney Gary Smith discussed the enforcement and the need for an ordinance with a penalty clause. The stop signs that are in a development are approved through the platting process. Commissioner Beard stated he would oppose the ordinance due to not addressing other areas of the City with regard to stop signs. Commissioner Drozd made the motion to approve with Commissioner Gaul seconding the motion. The votes were as follows:

Commissioner Gaul – For
Commissioner Beard – Oppose
Commissioner Drozd – For
Commissioner BeMent – For

The motion passed.

Agenda item A23, Review and consider taking action on Ordinance No. 2022-24, amending the Fire Code, Sec. 122-24, Richmond Code, to provide for when Type 1 hoods are required for appliances used for commercial purposes.

City Manager Vela stated a revised ordinance had been provided with language defining “Commercial” based on feedback from the morning workshop.

Commissioner BeMent made the motion to approve Ordinance No. 2022-24, amending the Fire Code, Sec. 122-24, Richmond Code, to provide for when Type 1 hoods are required for appliances used for commercial purposes. Commissioner Gaul seconded the motion, and the vote was unanimous to approve.

Agenda item A24, Review and consider taking action on Resolution No. 416-2022, designating authorized signatories for contractual documents and documents for requesting funds for the Texas General Land Office for the Community Development Block Grant Mitigation Program.

Finance Director Alderete introduced Michaela Mangum with GrantWorks, Inc. to provide additional guidance and answer questions. Ms. Mangum was present via Zoom. There was a lengthy discussion regarding the signatory requirements. City staff was encouraged by the Commission to have an internal policy to review the backgrounds of the contractual documents.

Commissioner Beard made a motion to approve Resolution No. 416-2022 designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant – Mitigation Program – hazard Mitigation Grant Program Supplemental General Land Office (GLO) State Contract Number 22-119-012-D507 subject to dual signatures on the request for payment form documents and forms. Commissioner BeMent seconded the motion, and the vote was unanimous to approve.

Agenda item A25, Review and consider taking action on Resolution No. 417-2022, adopting policies related to citizen participation and civil rights required for the Community Development Block Grant – Mitigation (CDBG-MIT) grant from the Texas General Land Office.

Finance Director Alderete stated this is a multiple policy that is required to be adopted. Ms. Mangum from GrantWorks reviewed the different policies and the processes that are followed.

Commissioner Beard made the motion to approve resolution No. 417-2022, adopting a Section 3 Policy, an Excessive Force Policy, A Limited English Proficiency (LEP) Standards Plan, A Section 504 Policy and Grievance Procedures, A Code of Conduct Policy, and a Fair Housing Policy as Required for the Community Development Block Grant – Mitigation (CDBG-MIT) Grant from the Texas General Land Office. Commissioner BeMent seconded the motion and the vote was unanimous to approve.

A26, Review and consider taking action on Resolution No. 415-2022, authorizing and interfund loan to facilitate the Development Corporation of Richmond Myrtle Street Project.

Mayor Becky Haas pulled the item from the agenda until such time as a decision can be made. Commissioner Beard made the motion to pull with Commissioner Drozd seconding and the vote was unanimous.

A27, Review and consider taking action on Resolution No. 421-2022, authorizing the Mayor to execute documents to accept potential funding from HGAC-MOD.

Finance Director Alderete indicated the acceptance needs to be received by August 5, 2022, or the funds would be forfeited. There was a brief discussion.

Commissioner BeMent made the motion to approve Resolution No. 421-2022 authorizing the Mayor to execute documents to accept potential funding of \$1,535,500 from the Regional Mitigation Program – Houston Galveston Area Council MOD Funding

as part of the State of Texas Community Development Block Grant Mitigation (CDBG-MIT) Action Plan. Commissioner Beard seconded the motion, and the vote was unanimous to approve.

Agenda item A28, Excuse from Attendance at Regular City Commission Meeting.

There were no absences to be considered.

Agenda item A29, Consider taking action on requests for future agenda items.

- Commissioner Beard requested a follow-up on the reuse contract with Veranda. Also, further discussion on MUD 207 as it relates to MUD 141. Commissioner Beard made the motion with Commissioner BeMent seconding. Approved.
- Commissioner BeMent requested the Fire Protection Services to be on the agenda to receive an update on conversations with the County. “Must be kept on the radar”. Commissioner BeMent made the motion with Commissioner Gaul seconding the motion. Approved.
- Commissioner Gaul requested a discussion of the utilization of the office space at the Myrtle Building. City Manager Vela suggested it be included at the Budget Workshop slated for August 1, 2022. Commissioner Gaul made the motion with Commissioner BeMent seconding the motion. Approved.

With no further business to discuss, Mayor Haas declared the meeting adjourned at 7:24 p.m.

APPROVED:

Becky K. Haas, Mayor

ATTEST:

Laura Scarlato, City Secretary