



STATE OF TEXAS
COUNTY OF FORT BEND
CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Regular Session on September 19, 2022, 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.

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
Lasha Gillespie, 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.

Agenda item A3. Employee Recognition for Service with the City of Richmond:

- Gabe Escochea – 10 Years – Fire Department.
- Derek Gipson – 15 years Fleet Maintenance Department

New Hire

Lasha Gillespie, City Secretary

- Lasha Gillespie was welcomed to the City of Richmond as the new City Secretary.

Proclamations:

Honoring Karl Baumgartner for his years of service on the Fort Bend Subsidence District.

Honoring Joe Bonham for his years of service on the Development Corporation of Richmond.

- Both Mr. Baumgartner and Mr. Bonham were present to receive the award and to be photographed with the Mayor.

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

- Commissioner Beard commented that it has been an honor to serve with Both Mr. Baumgartner and Mr. Bonham.
- Commissioner Beard also commended the City staff on assisting with the budget.

Agenda item A5. Public Comments.

- One person signed up to speak but opted to wait until item A9. is presented.

Agenda item A6. First Public Hearing to receive comments for or against the adoption of a strategic partnership agreement between the City and Fort Bend Municipal Utility District No. 134D.

- There were no citizens signed up to speak. Agenda item closed.

Agenda item A7. Second Public Hearing to receive comments for or against the adoption of a strategic partnership agreement between the City and Fort Bend Municipal Utility District No. 134D.

- There were no citizens signed up to speak. Agenda item closed.

Agenda item A8. Public hearing to receive comments for or against a request by Mario E. Lanza, of M Lanza Engineering, PLLC, representing Elite Line Properties LLC to rezone an approximate 10.00-acre tract of land from General Residential (GR) to Suburban Commercial (SC) 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 1006 FM 359, on the east side of FM 359 between Del Aqua Drive and Rio Vista Drive intersections along FM 359.

- There were no citizens signed up to speak. Agenda item closed.

Agenda item A9. Public hearing to receive comments for or against a request by Kyle Molitor, of Kimley-Horn & Associates, Inc., representing property owner Charles Klein to rezone an approximate 22.00 -acre tract of land from General Residential (GR) to Suburban Commercial (SC) 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 1006 FM 359, on the east side of FM 359 between Del Aqua Drive and Rio Vista Drive intersections along FM 359.

- Charles Kline, the Senior Executive Director of Construction at International Leadership of Texas introduced himself and stated he was present at the meeting to answer any questions should the Commission have any.

Agenda item A10. Public Hearing on Proposed Tax Rate for the year 2022.

- There were no citizens signed up to speak. Agenda item closed.

Agenda item A11. Presentation on City Owned Property.

- ACM Director Howard Christian gave the Commission a map that depicts the city-owned land in response to a previous request. This is a draft, according to ACM Director Christian, and a more precise and thorough map will be given.

Agenda item A12. Discuss Fire Protection Strategy.

- Fire Chief Youngblood stated at the morning meeting that the goal is to eventually identify the areas that are within the city limits and areas that are in unincorporated areas and not covered by service agreements. Ways to achieve this goal is by continuing to gather data to validate and substantiate the responsibility for FBC's governing body to reduce the burden of funding, staffing, preparing and responding to calls that are not within the City limits.
- Commissioner BeMent recognized the Chief's efforts on this item. Commissioner BeMent went on to say he would look to see a substantial reduction in the \$900,000 disparity before he would be inclined to suggest that the City needs to subsidize the County's Fire Protection responsibilities, and encouraged the Chief to make that clear to the County.

Agenda item A13. Consent Agenda

Commissioner BeMent pulled item A13. (1) from the Consent Agenda

Commissioner Beard BeMent pulled item A13. (3) from the Consent Agenda

Mayor Haas pulled item A13. (7) from the Consent Agenda

A13. (1) Minutes

- Commissioner BeMent requested that the August 15, 2022 meeting minutes be amended to reflect his correct request.

A13. (3) Police Department

- Commissioner Beard wants people to understand that our PD is a community spirited group that genuinely feels part of their beat mainly because of the culture that has been established.

A13. (7) Public Works

- Mayor Haas inquired if the City of Rosenberg is filing suit against TXDOT. CM Vela informed the Mayor that once an update is received that information could be provided to her.

Commissioner Beard made a motion to approve all items from the Consent Agenda with the correction of the revision to item A13. (1). Commissioner Drozd seconded. The motion passed unanimously

Regular Agenda

Agenda item A14. Review and consider taking action on Ordinance No. 2022-28, Adopting Proposed FY 2022-23 Budget for the City of Richmond.

- Finance Director Alderete addressed the Commission by presenting the Proposed budget for FY 2022-23
- Commissioner asked is the split between the M&O Debt service very similar to last year's. FD Alderete stated that it has increased since last year.
- Commissioner BeMent stated that the city is doing more with less (based on this report)
- Commissioner Drozd expressed his concerns with inflation and its impact on the city.
- Commissioner Beard made comments about Senate Bill and how it limits property tax and added that the city is actually 6% below what Senate Bill actually allows.

Agenda item A15. Review and consider taking action on Ordinance No. 2022-29, levying a property tax rate for the year 2022.

- No discussion

Individual vote is as follows:

Commissioner Gaul Favor

Commissioner Beard Favor

Commissioner Drozd Favor

Commissioner BeMent Favor

Mayor Rebecca Haas Favor

Item closed

Agenda item A16. Review and consider taking action on Ordinance No. 2022-30, ratifying the tax rate reflected in the 2022-23 fiscal year budget.

- No discussion. Commissioner BeMent moved to approve Ordinance No. 2022-30, ratifying the tax rate reflected in the 2022-23 fiscal year budget. Commissioner Beard seconded. The motion passed unanimously.

Individual vote is as follows:

Commissioner Gaul Favor

Commissioner Beard Favor

Commissioner Drozd Favor

Commissioner BeMent Favor

Mayor Rebecca Haas Favor

Item closed

Agenda item A17. Review and consider taking action on Ordinance No. 2022-31, amending water, sewer, surface water rates and solid waste charges.

- Commissioner BeMent pointed out that the City had a third-party expert come in and analyze what needed to be done with the water rates in order to get the funds that we need to maintain and improve our infrastructure to manage the growth that we are experiencing. Commissioner BeMent went on to say that although this is an increase in the rate it is not as much as that third party expert recommend.
- Commissioner Beard referenced earlier discussion about the projection based on the 11%, he still wants to see what the gross amount theoretically can be in 2027.
- Commissioner Drozd pointed out that since changes were made sine this morning's meeting, does it need to be updated to "as modified"
- Commissioner Gaul made a motion to approve Ordinance No. 2022-31, amending water, sewer, surface water rates and solid waste charges as amended. Commissioner Beard seconded. The motion passed unanimously.

Agenda item A18. Review and consider taking action on authorizing the City Manager to sign an out of City water and sewer agreement.

- Clifton Holik, Field Services Superintendent requested consideration for an OCL requesting water service at 815 Edgewood due to a failed water well.
- Since this contract has been modified, Commissioner Drozd emphasized that it needs to be approved as revised. Commissioner Gaul inquired as to why this is a decision that is being presented to the Commission. CM Vela responded by saying the ordinance states it is the City Commission's decision. Commissioner Beard also added that decisions as small as this should be at the CM's discretion. City staff is following the ordinance but is considering modifying the process.
- Commissioner Beard made a motion to approve authorizing the City Manager to sign an out of City water and sewer agreement at 815 Edgewood as revised. Commissioner Gaul seconded. The motion passed unanimously.

Agenda item A19. Review and consider taking action on authorizing City Manager to execute a Professional Services Agreement with LJA for ARPA funded projects.

- ACM Howard Christian addressed this item and gave staff recommendation that the City Commission authorize the CM to execute and Engineering Services Contract with LJA to provide engineering services for the City's ARPA in the amount of \$429,950.
- Commissioner Gaul asked what is the percentage of the total project cost. ACM Christian answered 10%.
- Commissioner Beard stated he wants to ensure that the city is doing what the grant calls for.
- Commissioner Gaul made a motion to authorize the City Manager to execute a Professional Services Agreement with LJA for ARPA funded projects in the amount of \$429,950. Commissioner Gaul seconded. The motion passed unanimously.

Agenda item A20. Review and consider taking action on a Final Plat – Harvest Green Section Forty-One – 14.8 acres of land – 2 Blocks – 63 Lots – 3 Reserves. The subject site is part of the Harvest Green Concept Plan, and it is located east of Harlem Drive and south of the proposed Harvest Home Drive Street Dedication and Reserves Sec 3.

- Planning Director Mason stated a general plan for the Harvest Green was approved by City Commission on February 15, 2022. The Final Plat conforms to the general plan as well as the preliminary plat. A portion of the plat is within the ETJ, approximately 10 lots 14-23; just a portion of 23.
- Commissioner asked if the remainder of the plat within Houston's ETJ. City Manager Vela stated that a portion is in Houston's ETJ and portion is in an unincorporated area.
- Commissioner Beard moved to approve the Final Plat – Harvest Green Section Forty-One – 14.8 acres of land – 2 Blocks – 63 Lots – 3 Reserves. The subject site is part of the Harvest Green Concept Plan, and it is located east of Harlem Drive and south of the proposed Harvest Home Drive Street Dedication and Reserves Sec 3. Commissioner Drozd seconded. The motion passed unanimously.

Agenda item A21. Review and consider taking action on a Short Form Final Plat – Harvest Home Drive Street Dedication Sec 3 – 9.858 acres of land – 1 Block – 0 Lots – 3 Reserves. The subject site is a section within the Harvest Green General Plan located on the east side of Harlem Road and south of Oyster Creek.

- No discussion.
- Commissioner Beard moved to approve Short Form Final Plat – Harvest Home Drive Street Dedication Sec 3 – 9.858 acres of land – 1 Block – 0 Lots – 3 Reserves. The subject site is a section within the Harvest Green General Plan located on the east side of Harlem Road and south of Oyster Creek with staff's conditions. Commissioner Gaul seconded. The motion passed unanimously.

Agenda item A22. Review and consider taking action on a Replat – Morton Cemetery Section 8 – 0.069 acres of land – 9 Blocks – 60 Lots – 0 Reserves. The subject site is located at 403 North 2nd Street, south of Jane Long Street and north of Commerce Street.

- Commissioner BeMent inquired as to why LCISD would need to receive a Letter of No Objection. PD Garcia stated that it was more of a formality.
- Commissioner Gaul asked PD Garcia about tree removal and planting and how that is handled in a cemetery. PD proceeded to explain.
- Commissioner Drozd made a motion to approve the Replat – Morton Cemetery Section 8 – 0.069 acres of land – 9 Blocks – 60 Lots – 0 Reserves. The subject site is located at 403 North 2nd Street, south of Jane Long Street and north of Commerce Street. Commissioner Beard seconded the motion. The motion passed unanimously.

Agenda item A23. Review and consider taking action on a Short Form Final Plat – Plantation Plaza – 3.9949 acres of land – 1 Blocks – 0 Lots – 1 Reserve. The subject site is located at 1421 FM 359 street along the western side of FM 359.

- Commissioner Drozd made comments about the individual buildings and strip center and if they are handled differently. PD Garcia proceeded to explain.
- Commissioner Beard moved to approve a Short Form Final Plat – Plantation Plaza – 3.9949 acres of land – 1 Blocks – 0 Lots – 1 Reserve. The subject site is located at 1421 FM 359 street along the western side of FM 359 subject to staff recommendations. Commissioner BeMent seconded. The motion passed unanimously.

Agenda item A24. Review and consider taking action on Ordinance No. 2022-32, approving the request by Mario E. Lanza, of M Lanza Engineering, PLLC, representing Elite Properties, LLC to rezone an approximate 10.00-acre tract of land from General Residential (GR) to Suburban Commercial (SC) 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 1006 FM 359, on the east side of FM 359 between Del Aqua Drive and Rio Vista Drive intersections along FM 359.

- Planner II Helen Landaverde presented the Commission with the request from M Lanza Engineering.
- Commissioner Beard stated since this falls under the City's UDC the site plans that the city sees may or may not be final.
- Commissioner BeMent made a motion to approve Ordinance No. 2022-32, approving the request by Mario E. Lanza, of M Lanza Engineering, PLLC, representing Elite Properties, LLC to rezone an approximate 10.00-acre tract of land from General Residential (GR) to Suburban Commercial (SC) 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 1006 FM 359, on the east side of FM 359 between Del Aqua Drive and Rio Vista Drive intersections along FM 359. Commissioner Beard seconded. The motion passed unanimously.

Agenda item A25. Review and consider taking action on Ordinance No. 2022-33, approving a request by Kyle Molitor of Kyle Molitor of Kimley-Horn & Associates, Inc., representing property owner Charles Klein to rezone an approximate 22.00-acre tract of land from General Residential (GR) to Suburban Commercial (SC) 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 1006 FM 359, on the east side of FM 359 between Del Aqua Drive and Rio Vista Drive intersections along FM 359.

- Helen Landaverde stated the applicant is requesting zone change Suburban Commercial to allow for a Charter School.
- Commissioner Gaul expressed his concerns about noise and light from the athletic field and its impact on the nearby residential area.
- Commissioner Drozd asked Charles Klein if the school is going to be a public school or private school. Mr. Klein responded by saying that this is a public charter school.
- CM Vela stated that a traffic analysis will be conducted.
- Commissioner Beard made a motion to approve Ordinance No. 2022-33, approving a request by Kyle Molitor of Kyle Molitor of Kimley-Horn & Associates, Inc., representing property owner Charles Klein to rezone an approximate 22.00-acre tract of land from General Residential (GR) to Suburban Commercial (SC) 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 1006 FM 359, on the east side of FM 359 between Del Aqua Drive and Rio Vista Drive intersections along FM 359. Commissioner BeMent seconded. The motion passed unanimously.

Agenda item A26. Review and consider taking action on Ordinance No. 2022-34, approving a strategic partnership agreement between the City and Fort Bend Municipal Utility District No. 134D.

- There was discussion about if homes were ever purchased in this particular tract, will the city have to go through this process again.
- Commissioner Beard made a motion to Ordinance No. 2022-34, approving a strategic partnership agreement between the City and Fort Bend Municipal Utility District No. 134D. Commissioner Gaul seconded. The motion passed unanimously.

Agenda item A27. Review and consider taking action on Resolution No. 424-2022, granting consent to Fort Bend County Municipal Management District No. 1 to annex certain land within the Extra Territorial Jurisdiction of the City.

- CA Smith stated that this is the same tract of land that the city consented to be included in 134D
- Commissioner Gaul questioned how the 2% sales tax will be distributed.
- CA stated the City receives the 2% and gives 1% to the MUD, and the Development Corporation receives a portion out of the City's 1%
- Commissioner BeMent moved to approve Resolution No. 424-2022, granting consent to Fort Bend County Municipal Management District No. 1 to annex certain land within the Extra Territorial Jurisdiction of the City. Commissioner Beard seconded the motion. The motion passed unanimously.

Agenda item A28. Review and consider taking action on Resolution No. 425-2022, ratifying the City Manager's application for a grant for bullet-resistant shields.

- Mayor Haas stated Meadows Place is donating all of their equipment to Ukraine. Is this something we can. APC Dixie Brzozowski stated she does not know the legalities behind this.
- Commissioner Beard moved to approve Resolution No. 425-2022, ratifying the City Manager's application for a grant for bullet-resistant shields post application. Commissioner BeMent seconded. The motion passed unanimously.

Agenda item A29. Review and consider Myrtle Street build out.

- The Commission proceeded to provide City staff with feedback needed to move forward with the Myrtle Street build out.

Agenda item A30. Review and consider taking action on official ballot for the election of Places 6-9 of the board of Trustees for the Texas Municipal League Intergovernmental Risk Pool Board.

- Each board member submitted their selections for Places 6-9. Commissioner Beard made a motion to authorize the City Manager to act as the Authorized Official to sign the ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. Commissioner Gaul seconded the motion. The vote was unanimous to approve.

Agenda item A31. Excuse from Attendance at Regular City Commission Meeting.

- None at this time

Agenda item A32. Consider taking action on requests for future agenda items.

- Mayor Haas requested the Hwy 90 overpass update.
- Commissioner Beard requested on the Strategic Plan that was done last Spring as well as an update on the Comprehensive Master Plan.
- Mayor Haas requested the Hwy 90A overpass update.
- Commissioner Beard moved to have an update on the Strategic Plan. Commissioner Gaul seconded. The motion passed unanimously
- Commissioner Beard move to receive an update on the Hwy 90A overpass. Commissioner Gaul seconded. The motion passed unanimously.

Agenda item A33. Adjourn to Executive Session, as authorized by Texas Government Code, Sections 551.071 Consultation with Attorney; 551.074, Personnel Matters; and 551.087, Economic Development Negotiations.

- Adjourned to Executive Session at 6:29 p.m.

Regular Session reconvened at 7:15 p.m.

- No action taken

C2. Adjournment

With no further business to discuss, Mayor Haas declared the meeting adjourned at 7:15 p.m.

APPROVED:


Becky K. Haas, Mayor

ATTEST:


Lasha Gillespie, City Secretary