



STATE OF TEXAS  
COUNTY OF FORT BEND  
CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Regular Scheduled City Commission Session on September 16, 2024, at 4:30 p.m. Mayor Pro Tem Drozd 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- not in attendance  
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  
Gary Smith, City Attorney  
Lasha Gillespie, City Secretary

**A1. Call to Order, Quorum Determined and Meeting Declared Open.**

- Mayor Pro Tem Drozd called the meeting to order at 4:31 p.m.

**A2. Recite the Pledge of Allegiance to the U. S. Flag and the Texas Flag.**

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

**Jason Bartos – 15 years – Street Department.**

- Present to receive.

**Proclamations:**

- Chief Legington acknowledgment of Life Saving Services by Brandon Shoaf and Chris Clayton.

Present to receive.

**88<sup>th</sup> Annual Fort Bend County Fair and Rodeo, “Defying Challenges, Raising Champions”  
Proclamation.**

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

- Commissioner Beard expressed his appreciation for the Richmond Police Department, commending their professionalism in handling an unruly individual at a recent event.

**A5. Public comments (Public comments are limited to a maximum of 3 minutes per item. No Deliberations with the Commission. Time may not be given to another speaker.)**

- None.

**A6. Public Hearing on Proposed Tax Rate for the year 2024.**

- No one present to speak. Public hearing closed.

**A7. Update on Fort/Front Street and 10<sup>th</sup> Street Projects from Fort Bend County.**



- Commissioner McCoy and staff provided an update on the Fort/Front and 10th Street Projects. Assistant County Engineer Ike Akinwande and Project Manager Kevin Mineo noted that while the Fort/Front Street project is progressing, it has faced delays. A traffic switch was implemented to allow drainage work, with traffic remaining one-way. The county is transitioning to a new contractor due to utility and other issues, with a preconstruction meeting to set a start date. The project is expected to be completed by mid-2025. For 10th Street, county staff mentioned some properties in disrepair, with plans to either secure or demolish them. Nine structures have already been demolished, with twelve more pending after abatement and asbestos testing. Of the 35 parcels acquired, seven remain, five of which are in eminent domain, with only one facing a slight delay. A traffic study completed on July 12 found no major impacts, and the county will meet with businesses to discuss the results.

**A8. Public hearing to receive comments for or against text amendments to the Unified Development Code, to include a Conditional Use Permit requirement with associated standards for Hookah and Vapor Retail Stores . The specific sections to be amended include:**

1. Table 2.2.104, Commercial Uses;
2. Section 2.2.203 Commercial Limited and Conditional Use Standards;
3. Section 6.1.102, Nonconforming;
4. Division 7.1.300, Definitions.

- No one present to speak. Public hearing closed.

**A9. Presentation on Lead and Copper Inventory Update.**

- Staff presented an update on the Lead and Copper Inventory, noting that all city service lines are copper, galvanized steel, or plastic, with no lead lines found. Around 500 customer accounts have lines marked "Galvanized Requiring Replacement" or "Unknown," and those customers must be notified within 30 days, with replacements at their expense. The inventory will be updated annually per Lead and Copper Rule Improvements (LCRI) guidelines. There was discussion about the City assisting with testing and a request for the Commission to review the notification letters before sending. Staff recommended creating an ad hoc committee for guidance, and Mayor Pro Tem Drozd appointed Commissioner Gaul.

**A10.**

**CONSENT AGENDA**

- Commissioner Beard moved to approve all the items in the Consent Agenda. Commissioner Gaul seconded. Motion passes unanimously.

**REGULAR AGENDA**

**A11. Review and consider taking action on Ordinance No. 2024-11, Adopting Proposed FY 2024-25 Budget for the City of Richmond.**

- Staff presented an overview of the FY 2025 budget, highlighting key components such as a general salary increase for employees, which continues the city's commitment to investing in its most valuable asset—its workforce. The budget aims to provide competitive wages to attract and retain a quality workforce while also funding necessary infrastructure improvements. These



improvements include streets, water, wastewater, and surface water systems. Additionally, the budget ensures the maintenance of key city assets, such as vehicles and information technology. For next year's budget, the City Commission will vote on what CIP's go into the budget.

- Commissioner BeMent moved to approve Ordinance No. 2024-11 an Ordinance of the City of Richmond, Texas making appropriations for the support of the City of Richmond for the fiscal year beginning October 1, 2024 and ending September 30, 2025, and adopting the annual budget of the City of Richmond for the fiscal year beginning October 1, 2024 and ending September 30, 2025; providing for the Inter-Department and fund transfers; authorizing the Mayor and City Manager to sign documents and declaring an effective date. Commissioner Beard seconded. Motion passes unanimously.

Record Vote:	For	Against
Commissioner Gaul	✓	_____
Commissioner Beard	✓	_____
Commissioner Drozd	✓	_____
Commissioner BeMent	✓	_____
Mayor Haas	_____	_____

**A12. Review and consider taking action on Ordinance No. 2024-12, levying a property tax rate for the year 2024.**

- Commissioner BeMent made the following motion: I move that the property tax rate be increased by the adoption of a tax rate of \$0.640000, which is effectively a 0.83 percent increase in the tax rate. Commissioner Gaul seconded.

Record Vote:	For	Against
Commissioner Gaul	✓	_____
Commissioner Beard	✓	_____
Commissioner Drozd	✓	_____
Commissioner BeMent	✓	_____
Mayor Haas	_____	_____

Motion passed unanimously.

**A13. Review and consider taking action on Ordinance No. 2024-13, ratifying the tax rate reflected in the 2024-25 fiscal year budget.**

- Commissioner BeMent pointed out that the Ordinance that will be adopted today includes language that states the total tax rate is 0.64000 reduced from last year's tax rate of \$0.650000 per \$100 of taxable value.
- Commissioner Gaul moved to approve Ordinance No. 2024-13 an Ordinance of the City of Richmond, Texas, ratifying the property tax reflected in the 2024-2025 fiscal year budget for the city of Richmond; and providing an effective date. Commissioner Beard seconded.



Record Vote:	For	Against
Commissioner Gaul	✓	---
Commissioner Beard	✓	---
Commissioner Drozd	✓	---
Commissioner BeMent	✓	---
Mayor Haas	---	---

Motion passed unanimously.

**A14. Review and consider taking action on Ordinance No. 2024-14, Fire Protection Agreement with Fort Bend County.**

- Staff explained the terms of the agreement, including the method used to calculate the cost of providing these services. At the recent Finance Audit Committee meeting, the optimal approach for determining the cost of fire services to these areas was discussed. Factoring in the Fire Department's fiscal year 2025 budget, debt obligations for two fire trucks, and the cost per equivalent single-family connection, the committee estimated that the cost to serve this area would be approximately \$490,000. As a result, staff recommended that the Interlocal Agreement be reviewed internally on an annual basis, and jointly with the county after four years, to ensure that the \$2.5 million expenditure on the ladder truck continues to justify the city's costs.
- Staff also noted that they had not yet received feedback from the county regarding the proposed changes to the agreement.
- Commissioner Drozd raised the issue that the city had received a termination of service contract dated September 13, 2024, signed by the Fort Bend County Fire Marshal, Justin Jurek. Commissioner Drozd referenced the Local Government Code, Title 11 - Public Safety, Title B - County Public Safety, Chapter 352 - County Fire Protection, stating that any termination of such an agreement must be approved by the governing body, in this case, the County Commissioner's Court. He questioned staff about whether anything contradicted this interpretation. Staff responded that they were uncertain whether the County Commissioners had authorized Mr. Jurek to issue the termination letter.
- Mr. Jurek clarified that the county's legal team had discussed the matter and granted him the authority to issue the termination letter to fulfill the agreement's requirements. When Commissioner Drozd asked what statute granted this authority, Mr. Jurek referred to the language in the letter the city received. He further explained that the agreement allowed either party to terminate with a 10-day notice, without specifying whether the termination needed to be issued by the Commissioners Court or another entity, which led the legal team to authorize him to send the notice. Commissioner Drozd reiterated that the statute specifies the governing body must approve such actions. Mr. Jurek stated he did not have time to review the proposed changes and that he was acting on the direction of the legal team, and agreed to obtain documentation from the County Attorney confirming his authority.
- The discussion then shifted to exploring the possibility of negotiating a new agreement rather than terminating the existing one. Commissioner BeMent moved to table this until the meeting or special meeting. Commissioner Beard seconded. Motion passes unanimously.



- A15. Review and consider taking action on Resolution No. 494-2024, interlocal agreement with TML for cyber liability and data breach coverage.**
- Agenda item postponed until Executive Session.
- A16. Review and consider taking action on Ordinance No. 2024-15, amending Water, Wastewater and Garbage Rates.**
- Staff recommends the Commission approve the attached ordinance setting rates for city utilities. After some discussion, Commissioner BeMent moved to approve Ordinance No. 2024-15, amending Water, Wastewater and Garbage Rates, to be amended to include language stating that at the discretion of the City of Richmond, a construction meter may be set for construction purposes with a deposit of a minimum of \$1,600. Said deposit to be adjusted by the City Manager as needed. Commissioner Beard seconded. Motion passes unanimously.
- A17. Review and consider taking action on Resolution No. 495-2024, letter agreement for reimbursement of final payment for Meritage.**
- Staff recommends the Commission approve Resolution No. 495-2024, letter agreement for reimbursement of final payment for Meritage. Commissioner BeMent moved to approve Resolution No. 495-2024, letter agreement for reimbursement of final payment for Meritage. Commissioner Beard seconded. Motion passes unanimously.
- A18. Review and consider taking action on authorizing City Manager to execute construction management contract with Cobb Fendley on the roundabout located on 10<sup>th</sup> and Clay Street.**
- Staff recommends the City Commission authorize the City Manager to execute an Engineering Services Contract with Cobb Fendley for the Clay/Second Street Roundabout addition in the amount of \$89,998. This request is contingent upon final execution by the county for the ILA amendment. Commissioner BeMent move to authorize the City Manager to execute construction management contract with Cobb Fendley on the roundabout located on 10th and Clay Street in the amount of \$89,998. Commissioner Beard seconded. Motion passes unanimously.
- A19. Review and consider taking action on authorizing City Manager to execute construction contract change order for Hurtado on the roundabout located on 10<sup>th</sup> and Clay Street.**
- Staff recommends the City Commission authorize the City Manager to execute a Construction Services Change Order with Hurtado Construction for the Clay/Second Street Roundabout addition in the amount of \$1,507,923.84. This request is contingent upon final execution by the county for the ILA amendment. Commissioner BeMent moved to authorize the City Manager to execute construction contract change order for Hurtado on the roundabout located on 10th and Clay Street in the amount of \$1,507,923.84. Commissioner Gaul seconded. Motion passes unanimously.
- A20. Review and consider taking action on authorizing City Manager to execute professional services contract with LJA for the Ground Storage Tank for the rehabilitation of the tank.**



- Staff's recommendation that the City Commission authorize the City Manager to execute a professional service contract to LJA engineering for the proposed scope of work in an amount of \$68,000. Commissioner BeMent moved to authorize the City Manager to execute a professional services contract with LJA for the Ground Storage Tank for the rehabilitation of the tank in the amount of \$68,000. Commissioner Beard seconded. Motion passes unanimously.

**A21. Review and consider taking action on Resolution No. 496-2024, amending the Utility Agreement on the request for additional utility capacity from Williams Ranch Mud # 1.**

- The City's Utility Agreement with MUD 1 currently includes a water and wastewater capacity commitment for 500 Equivalent Single-Family Connections (EFSCs) across 149.92 acres. MUD 1 is now requesting an additional 50 EFSCs for future development along Andado Lane. Staff recommends that the City Commission authorize the City Manager to execute an agreement with Williams Ranch MUD 1 for the additional connections.
- Concerns were raised regarding the proposed development, which will be a rental community. In the past, the City has required covenants or restrictions for rental communities to ensure proper property maintenance. Both the MUD attorney and the developer were present to address questions from the City Commission. After extensive discussion, it was recommended that the MUD attorney and developer convey the Commission's concerns and return with further information. Commissioner BeMent moved to postpone this item until the regular meeting in October. Commissioner Beard seconded. Motion passes. Votes as follows:

*Commissioner Gaul- Nay*

*Commissioner BeMent- Aye*

*Commissioner Beard- Aye*

**A22. Review and consider taking action on text amendments to the Unified Development Code, to include a Conditional Use Permit requirement with associated standards for Hookah and Vapor Retail Stores . The specific sections to be amended include:**

1. Table 2.2.104, Commercial Uses;
  2. Section 2.2.203 Commercial Limited and Conditional Use Standards;
  3. Section 6.1.102, Nonconforming;
  4. Division 7.1.300, Definitions.
- The Planning and Zoning Commission recommended approval of this proposed UDC text amendment with 2 ayes and 1 nay, the Chair was absent, at the September 4, 2024, meeting with the following changes, in blue, to the definition.

*Hookah and Vapor Retail Stores means a shop, hookah bar, vapor retails store, or a restaurant that specializes in the sale or consumption of electronic cigarettes; electronic vapor devices; or hookahs; maassel, shisha, narghille, or argilleh; and the supplies for such devices.*

- Commissioner BeMent moved to approve text amendments to the Unified Development Code, to include a Conditional Use Permit requirement with associated standards for Hookah and Vapor Retail Stores as set forth in the agenda with the modification to the amendment to the definition approved by the Planning and Zoning Commission. Ordinance No. 2024-09 is the relevant ordinance. Commissioner Beard seconded. Motion passes unanimously.



- A23. Review and consider taking action on authorizing City Manager to execute a design contract for a generator at the Surface Water Treatment Plant.**
- Staff recommends the City Commission authorize the City Manager to execute a professional service contract to Enprotec/Hibbs and Todd engineering for the proposed scope of work in an amount of \$115,000. Commissioner Gaul moved to authorize the City Manager to execute a professional service contract to Enprotec/Hibbs and Todd engineering for the proposed scope of work in an amount of \$115,000. Commissioner Beard seconded. Motion passes unanimously.
- A24. Explanation of Absence at Regular City Commission Meeting.**
- None
- A25. Consider taking action on requests for future agenda items.**
- None
- A26. Adjourn to Executive Session, as authorized by Texas Government Code, Section 551.071, Attorney Consultation.**
- Mayor Protem adjourned the meeting to Executive Session at 7:57 p.m.
- C1. Reconvene into Open Meeting, and take action on items, if necessary.**
- Reconvened into open meeting at 8:42 p.m.
  - Commissioner Gaul moved to approve Resolution No. 494-2024, interlocal agreement with TML for cyber liability and data breach coverage. Commissioner Beard seconded. Motion passed unanimously.
- C2. Adjournment.**
- Mayor Pro Tem Drozd adjourned the meeting at 8:43 p.m.

APPROVED:

  
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Carl A. Drozd, Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
Lasha Gillespie, City Secretary