

STATE OF TEXAS

COUNTY OF FORT BEND

CITY OF RICHMOND



The City Commission for the City of Richmond, Texas met in Regular Session on March 28, 2016 at 4:30 p.m.

Mayor Moore called the meeting to order at 4:32 p.m. A quorum was present, with the following members in attendance:

Evalyn W. Moore, Mayor
Glen Gilmore, Commissioner - Absent
Jesse Torres, Commissioner
Terri Vela, City Manager
Laura Scarlato, City Secretary
Gary Smith, City Attorney

The Mayor announced the following upcoming events:

- New Fire Station Open House, April 9, 2016 at 11:00 a.m.
- Groundbreaking for the Surface Water Treatment Plant, April 11, 2016 at 9:00 a.m.
- Movie in the Park at Wessendorf Park "The Good Dinosaur" April 22, 2016 7:00 p.m.

Mayor Moore introduced agenda item number A2, presentation of awards and announcements.

- Evelyn Garza was presented with her plaque for 25 years of service to the City of Richmond in the Court Department. Ms. Garza was not present for recognition.
- Mayor Moore was pleased to present Chief Mike Youngblood his award for 5 years of service to the Fire Department and he was present to be recognized.
- Recognition from Representative Pete Olson, Congressional Record congratulating the City of Richmond for earning special recognition by

Houston-Galveston Area Council 2015 Parks and Natural Areas Award. The award was read by the Mayor and expressed it was an honor to be recognized.

Mayor Moore introduced agenda item A3, Public comments. She asked for any public comments. There was one citizen signed up for comments.

Tres Davis – 2016 Haven Springs, Richmond, Texas 77469

Mr. Davis expressed his concerns regarding agenda item A18 and also stated his support for Commissioner Jesse Torres and the current LCISD School board situation.

Mayor Moore introduced agenda item A4, a Public Hearing on Rezoning from General Residential (GR) to General Commercial (GC), for property located at 2117 Lamar Drive along the right side of Lamar Drive; subject property is surrounded by single family residential to the north and east and strip commercial and multi-family to the west across the street on Lamar Drive. There was no one present to speak regarding the property therefore the item was closed.

Mayor Moore introduced agenda item A5, the consent agenda with the repetitive items to be approved. The Mayor asked if there would be any discussion regarding the consent agenda. The Mayor requested to pull the Regular Commission Meeting Minutes dated February 15, 2016 and Commissioner Torres requested the Fire Department Report be pulled.

Commissioner Torres made a motion to approve the remainder of the agenda with Mayor Moore seconding the motion the vote was two “ayes” and no “nays” to approve the consent agenda as reported.

Mayor Moore requested that on Page 4 of the 02.15.16 Minutes under the first bullet, the words “of Commissioners” be added after the word number. Commissioner Torres pointed out that there are a number of areas in the City with ten foot tall grass and there are citizens receiving notices regarding their yards being over nine inches. Commissioner Torres stated the City needs to set a good example and clean up our own backyard. Chief Youngblood who is over Code Enforcement stated to provide documentation of any neglected areas and contact the Fire Department. Commissioner Torres was given Albert Cantu as the contact for these issues. City Manager Terri Vela informed the Commission also that the Building and

Standards Commission have been working on the abandoned and dangerous building lists.

Commissioner Torres made the motion to approve the 02.15.16 minutes and the Fire Department Report. Mayor Moore seconded the motion, there being no further discussion, the agenda item was closed.

City Manager Terri Vela mentioned that next month the meeting will be held at 4:00 for a reception honoring Mildred I. Walker.

Mayor Moore introduced President, Ms. Cindy Drabek of the Richmond Historical Commission for a Quarterly Update. Ms. Drabek was not in attendance therefore the agenda item was closed.

Mayor Moore introduced agenda item A7 to review and consider taking action on the City of Richmond's Comprehensive Financial Report (CAFR) Year Ending September 30, 2015. Tom Pederson, Audit Partner and Eddie Juarez, Audit Senior were present from the Audit Firm, Whitley Penn to discuss the recent audit that was completed for the Fiscal Year End September 30, 2015. Mr. Pederson spoke to the Commission giving the City an Unmodified or "Clean" Opinion and the Highest level of assurance that can be given on financial statements. The TMRS Pension Plan is very strong and well funded. The General Fund Balance was up \$11.7 million from the prior year due to Sales tax and service charges. The tax rate was down but due to property taxes increasing, there was an increase in the property tax revenue. The City has a 97.3% collection rate which is outstanding. Regarding Internal Controls and Compliance, Mr. Pederson stated they found **no** instances of noncompliance noted with laws and regulations and **no** material weakness or significant deficiencies reported in internal controls. Mr. Pederson stated the "City of Richmond is very strong financially". Commissioner Torres made the motion to accept the City of Richmond's CAFR Year Ending September 30, 2015 and Mayor Moore seconded the motion. The vote was unanimous.

Agenda item A8 to review and consider taking action on Resolution No. 136-2016, Property Tax Exemptions for Tax Year 2016. City Manager, Terri Vela explained the exemptions were for Historic and Homestead. Finance Director, Susan Lang spoke regarding the calculations and the reason that historically the City has not granted a Historic exemption. The exemption is granted of \$6000 for citizens over the age of 65. Ms. Lang stated that the calculations are based on the 2015 certified tax rolls. The decision on the local level is whether to add an additional

exemption from the City. Based on the calculations, the loss to the City would be \$66,000 or the equivalent of two patrol cars. Ms. Lang gave the calculations regarding the possibility of granting a historic exemption. Commissioner Torres made the motion to continue the \$6000 exemption with Mayor Moore seconding the motion with a unanimous vote.

Mayor Moore introduced agenda item A9 to review and consider taking action on fee for Morton Masonic Lodge #72, Annual Gumbo Round Up Event on May 21st, 2016. Commissioner Torres questioned if the businesses along the requested street closing had been considered or consulted. City Manager, Terri Vela stated that street closings are up to the City and not the businesses. The event has taken place every year but this is the first time the Lodge has requested the street be closed. Commissioner Torres made the motion to approve the waiver of the fee for the Morton Masonic Lodge #72 for the Annual Gumbo Round-Up Event on May 21st, 2016. Mayor Moore seconded the motion and the vote was unanimous.

Agenda item A10 to review and consider taking action on Fee a waiver request for street closure fee for Shady Oak Christian and Primary School, Family Event on April 9th, 2016. The Commission approved this Fee waiver with Commissioner Torres making the motion and Mayor Moore seconding the motion. The vote was unanimous.

Mayor Moore introduced agenda item A11 to review and consider taking action on Ordinance No. 2016-10, Rezoning from General Residential (GR) to General Commercial (GC), property located at 2117 Lamar Drive along the right side of Lamar Drive; subject property is surrounded by single family residential to the north and east and strip commercial and multi-family to the west across the street on Lamar Drive. City Planner, Jessica Duet gave a presentation regarding the difference between General Commercial and Suburban Commercial. Ms. Duet also gave the recommendation from the Planning and Zoning Commission and the reasons the recommendation was for Suburban Commercial. After a brief question and answer portion, Commissioner Torres made the motion to approve Ordinance No. 2016-10, Rezoning from General Residential (GR) to Suburban Commercial (SC), property located at 2117 Lamar Drive along the right side of Lamar Drive; subject property is surrounded by single family residential to the north and east and strip commercial and multi-family to the west across the street on Lamar Drive. Mayor Moore seconded the motion and there were two votes to approve.

Agenda item A12 to review and consider taking action Resolution No. 137-2016, Interlocal Agreement with Missouri City for the Use of the Police Firing Range. City Manager, Terri Vela explained the Interlocal Agreement and the location on Clay Street. Commissioner Torres said it is important for the City to work hand in hand with safety personnel in other cities subsequently making the motion to approve Resolution No. 137-2016 the Interlocal Agreement with Missouri City for the Use of the Police Firing Range. Vela confirmed the property is not within the city limits but is owned by the City. Mayor Moore seconded the motion and there were two votes to approve. The agenda item was closed.

The Mayor presented agenda item A13 to review and consider taking action on the Resolution No. 139-2016, Easement Agreement with Union Pacific for use of a portion of 9th Street. City Manager, Vela stated the Resolution allows for the railroad to use the easement for widening, improving and upgrading a railroad bridge. The City negotiated a \$10,000 cost for the use of the easement. This allows the railroad to utilize the City's property but does not abandon the street. The City tried to work on a permit fee for the 10th Street Overpass so that the two could be combined to complete the process but this was not able to be completed. It would have prolonged the signing of the 9th Street Agreement. Commissioner Torres made the motion to approve Resolution No. 139-2016 with Mayor Moore seconding the motion with two votes to approve. The agenda item was closed.

Agenda item A14 to review and consider taking action on awarding a contract to Prime Controls for SCADA Services for the Surface Water Treatment Plant. City Manager, Vela introduced Public Works Director, Howard Christian to address the Commission regarding the contract. Mr. Christian noted that SCADA is an acronym for Supervise Control and Data Acquisition. Mr. Christian explained the necessity of the contract allowing for monitoring storage tank levels, communications network, and instant alarms via text messages. City Manager Vela noted the City currently has notification systems in place but that they are outdated. Commissioner Torres made the motion to award the contract to Prime Controls for SCADA Services for the Surface Water Treatment Plant. Mayor Moore seconded the motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A15 to review and consider taking action on awarding a contract to Freeze and Nichols for Onsite Inspection Services for the Surface Water Treatment Plant. Mr. Christian addressed the Commission regarding this contract as well. The City received two bids and it has been recommended to go with Freeze and Nichols after review. The company would be

monitoring the day to day onsite inspections, keeping the construction on schedule, observing the quality of the work and also creating a photographic log of the plant. Matt Cartwright with Freeze and Nichols was present to answer questions if needed. Commissioner Torres asked Mr. Christian if he was familiar with the company of which he replied yes and they will do a good job. Commissioner Torres made the motion to approve the awarding of the Onsite Inspection Services contract to Freeze and Nichols. Mayor Moore seconded the motion and the vote was unanimous.

Agenda item A16 to review and consider taking action on the Resolution No. 138-2016, authorizing submission of a grant application for replacement of older vehicles. City Manager Vela stated that most of the vehicles are located within the Police Department. The City will not be required to provide applicable matching funds for the replacements. The submittal of the Resolution is required by the DJ-Edward Byrne Memorial Justice Assistance Grant Program. Commissioner Torres made the motion to approve the Resolution No. 138-2016, authorizing submission of a grant application for replacement of vehicles. The Mayor seconded the motion and the vote was unanimous.

Mayor Moore introduced agenda item A17 to review and consider taking action on authorizing staff to negotiate a contract for Real Estate Appraisal Services for the Fire Station. City Manager noted the submittal from Colliers to perform the appraisal for the fire station and staff has negotiated a cost of \$4000 for the appraisal. Commissioner Torres made the motion to authorize staff to negotiate a contract for Real Estate Appraisal Services for the Fire Station. Mayor Moore seconded the motion and the vote was unanimous to approve.

Agenda item A18 was introduced by the Mayor for and Update on the Resolution No. 130-2016, Interlocal Agreement for the County Managed Mobility Project – FM 762/10th Street Project. City Manager Vela stated that staff and the City Attorney, Gary Smith have been working with the County regarding the agreement. The requests for language changes have been submitted but the City has not received a response from the County regarding those comments. County Engineer is aware of the cities comments and the ball is now in the counties court. Commissioner Torres stated that in the prior minutes, the City is requiring all of the County Commissioners to sign off on the agreement. City Attorney Smith stated that within his conversations with the County, he was asked why all of the Commissioners are being required to sign. Mr. Smith stated he had spoken with the Assistant County Attorney and was asked to prepare a Memorandum of Understanding to keep the process moving forward. The Mayor noted that in the

MOU next to the last paragraph to be consistent should read, "*The City will have the authority to review and reject any plans...*" The City will see a Memorandum of Understanding and the Interlocal Government very soon based on conversations with the County.

Mayor Moore introduced agenda item A19 to review and consider taking action on Resolution No. 140-2016, granting consent to annex certain land into Fort Bend County MUD 215, 11.2783 acres of land. City Attorney Smith provided a replacement of a page and stated the annexation erroneously omitted the drainage ditch. Following a brief discussion Commissioner Torres made the motion to approve the Resolution No. 140-2016, granting consent to annex certain land into Fort Bend County MUD 215, 11.2783 acres of land. Mayor Moore seconded the motion and the vote was unanimous to approve.

Mayor Moore announced that the Commission would now meet in Executive Session at 5:59 p.m., as authorized by Texas Government Code Section 551.071, Attorney Consultation regarding the Pecan Grove Lawsuit, Sudario Lawsuit, City of Richmond Charter; Section 551.072 regarding the Real Estate at 800 Front Street and Detention Land of Winston Estate Joint Venture II; and Section 551.074 Personnel Matters regarding the Police Department. Commissioner Torres moved to adjourn to Executive Session, and Mayor Moore seconded and the motion carried by a vote of two "ayes" and no "nays". Mayor Moore announced that the City Commission adjourns into executive session, authorized by Texas Government Code Section 551.071 Attorney Consultation, closed meeting.

The Commission reconvened into Open Session at 7:15 p.m.


Action on C1:

Commissioner Torres moved to deny the payment of City Medical insurance for an employee who has been on a leave of absence without pay for more than 30 days as requested pursuant to Section 6.06 of the Personnel Policies and Procedures Manual. Mayor Moore seconded the motion with a vote of two "nays" and no "ayes".

Action on C2 was to authorize staff to negotiate the purchase the property at 800 Front Street and the detention pond property with the Winston Estate Joint Venture No. 2.


There being no further business to be brought before the Commission, Commissioner Torres motioned for the meeting to be adjourned. Mayor Moore seconded and the Commission adjourned. The meeting was adjourned at 7:17 p.m.

APPROVED:



Evalyn W. Moore, Mayor

Attest:



Laura Scarlato, City Secretary