

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 11, 2016 at 4:30 p.m.

The Mayor announced that the City of Richmond held their Groundbreaking Ceremony that morning for the new Surface Water Treatment Plant and what an exciting time for the City.

It was stated that the Grand Opening for the new Richmond Fire Station was held on the past Saturday and was a huge success. It was a great event and very well attended.

The Mayor recognized Mrs. Mary Gilmore, wife of the late Glen Gilmore who served as a Commissioner for the City of Richmond as well as the City Manager for several years. The Mayor expressed her appreciation of Mr. Gilmore's many years of dedicated service to the City of Richmond. There was a moment of silence in honor of Mr. Gilmore and the Mayor stated Mr. Gilmore will be greatly missed.

Mayor Moore proceeded to call 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 - Absent
Gary Smith, City Attorney

Mayor Moore introduced agenda item A2, Public comments. She asked for any public comments. There were no individuals signed up to speak, therefore the item was closed.

Mayor Moore introduced agenda item A3, to review and consider taking action on appointment of the City Commissioner, Section 3.05 Vacancies, Forfeiture and Filling of Vacancies. Mayor Moore made the motion the Commission would now meet in Executive Session as authorized by the Texas Government Code Section 551.074, Personnel Matters. Commissioner Torres stated it was not necessary to meet in closed session therefore, no second was made and the motion died.

- Commissioner Torres made the motion to appoint Dr. Charles Yates Jr. City Manager Terri Vela stated that she received a letter from Commissioner Torres on Friday, April 9th with his recommendation of Dr. Yates. Mayor Moore stated her reasons for not seconding the motion for the appointment of Charles Yates due to the book that was written and published by Dr. Yates. There were very disparaging remarks regarding Richmond, in particular certain streets and neighborhoods. The Mayor felt Dr. Yates would be unable to be impartial in deliberating certain matters involving the City; therefore, she could not support this nomination.
There was not a second and the motion died.
- There was a period where City Manager Terri Vela stated Section 3.05 No. 4 regarding the language in the charter. Again, Commissioner Torres stated that Dr. Yates was qualified. He is a physician, his wife was on the school board and very well liked in the community. City Manager Vela asked the City Attorney what the procedures would follow if an agreement could not be reached. City Attorney Gary Smith stated the procedures if there is no appointment. The District Court would compel the Commission to agree on a qualified person to fill the role and enforcement of the action. However, there wouldn't be enough time for getting a hearing before the election. At this point, the citizens will have voted and made their choice for the vacancy so there would be of little value to going through the process. City Manager Vela reiterated that there will be a Special Commission Meeting to canvas the results before the May 16, 2016 Regular Commission Meeting. City Attorney Smith stated the position would only be filled if there can be an agreement, if not, the position will not be filled.
- Commissioner Torres again stated that an appointment needs to be made and that the Mayor was being unreasonable. Commissioner Torres stated that with two commissioners the vote always go with the Mayor. He stated

Dr. Yates is very qualified and it is the Mayors opinion regarding Dr. Yates. Mayor Moore stated that it was not her opinion, it is published material.

- The Mayor nominated Mr. Joe Bonham, Vice President of the Development Corporation, a retired banker and longtime resident of the City. Commissioner Torres stated there was a motion on the floor and the Mayor was required to vote yes, no or abstain.
- At this time, City Attorney Smith read the Rules of Procedure and the 3 steps for a motion. Smith stated without a "second" a motion dies and is not up for consideration. The Agenda item can only be announced by the Mayor, City Manager or Chair. Smith stated it does not go to the floor or to a vote.
- Commissioner Torres confronted City Manager Vela regarding the Open Meetings and not being informed of the Mayors thoughts concerning the appointment. Torres stated he is trying to have a dialog because they are not allowed to converse because of the Open Meetings Act. Torres stated that he is not privy to information but the other Mayor and Commissioners are informed. City Manager Vela stated that he received the information on Friday before the meeting as everyone else does. There was no second for Mr. Joe Bonham.
- The Mayor nominated Mr. Carl Dzord, Development Corporation member, retired Army officer and long term citizen. No second from Commissioner Torres.
- Commissioner Torres nominated former Commissioner Gary Gillen. The Mayor stated she could not support Mr. Gillen due to a conflict of interest as he is running for public office in 2017. It has been announced to numerous City staff. Commissioner Torres stated he was not aware that Mr. Gillen was running for mayor. The Mayor stated she did not second the motion.
- The Mayor nominated Mr. Michael Scherer, Chairman of the Charter Review Commission, attorney and long term resident. No second from Commissioner Torres.
- The Mayor nominated Mr. Stephen Doggett, Member of the Zoning Board of Adjustments, attorney and long term resident. No second from Commissioner Torres.

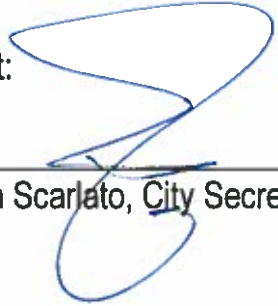
- Commissioner Torres nominated Dr. Charles Yates
- The Mayor nominated Mr. Robert Hodge, Member of the Original Charter Commission, Member of the Charter Review Commission, the Parks and Recreation Board and a long term resident. Commissioner Torres stated that Mr. Hodge is a nice guy but missed several meetings on the Charter Review Commission. No second from Commissioner Torres.
- The Mayor nominated Mr. A.D. Eversole, long term resident of Richmond. No second from Commissioner Torres. No second from Commissioner Torres.

The Mayor made a motion to adjourn with Commissioner Torres seconding the motion. There were two "ayes" to adjourn.

At this time, City Manager Vela suggested the Commission consider Mary Gilmore, the widow for the late Commissioner Gilmore. Commission Torres stated that Mrs. Gilmore had too much to deal with and would not support the suggestion.


Commissioner Torres made a motion to adjourn again and the Mayor seconded it. The meeting was adjourned again at 4:49 p.m.

Attest:



Laura Scarlato, City Secretary

APPROVED:



Evalyn W. Moore, Mayor