

STATE OF TEXAS

COUNTY OF FORT BEND

CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Regular Session on January 21, 2014 at 4:30 p.m. Mayor Moore called the meeting to order at 4:30 p.m. A quorum was present, with the following members in attendance:

Evalyn W. Moore, Mayor  
Bill Dostal, Commissioner  
Gary Gillen, Commissioner

Mayor Moore declared the meeting open.

Mayor Moore introduced agenda item number A2, presentation of employee recognition for service to the city. The following employees were not present to receive their awards:

Mike Hicks - 10 years, Police Dept.  
Robert Zielonka - 20 years, Wastewater Dept.

The following employees were presented their service awards and congratulated for their outstanding service to the city.

Albert Cantu - 15 years, Fire Dept (+ 10 years Volunteer Fireman)  
Pat Nowak - 15 years, Wastewater Dept.  
Wade Wendt - 20 years, Wastewater Dept.  
Kevin Teague - 10 years, Fire Dept.

Mayor Moore introduced Rob Tobias as the new Economic Development Director and welcomed him to the city of Richmond. Rob is joining us from the San Antonio, TX area and will be an asset to the city.

Mayor Moore introduced agenda item A3, Public comments. She asked for any public comments. There were no comments.

Mayor Moore opened the 2nd Public Hearing for the Strategic Partnership Agreement with Fort Bend County MUD No. 207. The agreement is effective January 21, 2014. There were no comments from the public and the public hearing for this agenda item was closed.

The agenda item A5 was introduced and opened for the 1st Public Hearing for the Ordinance No. 2014-01 for the proposed annexation of approximately 0.014 acre of land being a ten-foot wide portion of a call 3.70 acre tract of land for road right of way for Golfview Drive being in the Jane H. Long Survey, Abstract No. 55, Fort Bend County, Texas. She asked for comments from the public on the proposed annexation. Those present were given an opportunity to speak. There were no comments from the public. The public hearing was closed.

Mayor Moore introduced the consent agenda, A6. With the following items:

1. Review and approve the minutes for the meeting December 16, 2013.
2. Review and approve the Fire Department Report.
3. Review and approve the Police Department Report.
4. Review and approve the Municipal Court Report.
5. Review and approve the Tax Assessor/Collector Report.
6. Review and approve the Monthly Financial Report.
7. Review and approve the Quarterly Investment Report.
8. Review and approve the Public Works Report.
9. Set the date for next meeting to be Friday, February 7, 2014.

City Manager, Terri Vela pulled Consent Agenda Item No. 9 regarding an alternate meeting date for February. Commissioner Gary Gillen made the motion to have the next Regular Session Meeting on Friday, February 7th and 8:30 a.m. and Commissioner Bill Dostal seconded. The vote was unanimous. No separate discussion of any items on the remaining consent agenda was requested. Commissioner Bill Dostal complimented all the departments for their efforts in compiling the information for the meetings and the exemplary work they do for the City of Richmond. Dostal moved to approve the consent agenda, Gillen seconded and the vote was two "ayes" and no "nays" for approval of the consent agenda.

Mayor Moore introduced agenda item A7, Partial Re-Plat No. 1 on Texana Plantation, Section 4. After discussion, Gillen moved to approve the partial re-plat and Dostal seconded the Partial Re-plat No. 1 on Texana Plantation, Section 4 was approved by vote of two "ayes" and no "nays".

Mayor Moore introduced agenda item A8; Ordinance No. 2014-02 for the annexation of a 2.7986 acre tract of land located at 1385 FM 359, being in the Randall Jones ½ League, Abstract No. 42, Fort Bend County, Texas. Commissioner

Dostal motioned to accept and Commissioner Gillen seconded the motion. The vote was unanimous to accept the Ordinance No. 2014-02 for annexation.

Mayor Moore introduced agenda item A9; Ordinance No. 2014-03 for annexation of a 1.00 acre tract of land located at 1103 FM 359, being in the Randall Jones ½ League, Abstract No. 42, Fort Bend County, Texas. Commissioner Gillen motioned to accept and Commissioner Dostal seconded the motion. The vote was unanimous to accept the Ordinance No. 2014-03 for annexation.

Mayor Moore introduced Agenda Item A10 to review, consider and approve the Strategic Partnership Agreement with Fort Bend County MUD No. 207. The agreement is effective January 21, 2014. Commissioner Dostal made a motion to approve the Strategic Partnership Agreement and Gillen seconded the motion. It was approved by a vote of two "ayes" and no "nays".

Agenda item A11 for the review and consideration of approving FIRE PROTECTION AGREEMENT WITH MUD NO. 19, a conservation and reclamation district created and operating pursuant to Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 54, Texas Water Code. MUD No. 19 is located in the subdivision of **Riverwood**. The vote was two "ayes" and no "nays" for approval of Fire Protection Agreement with MUD No. 19. A motion was made by Dostal and seconded by Gillen to approve the Fire Protection Agreement with MUD 19. It was approved by a vote of two "ayes" and no "nays".

Agenda item A12 for the review and consideration of approving FIRE PROTECTION AGREEMENT WITH MUD NO. 116, for Canyon Gate dated June 11, 2001 and effective August 1, 2003. This is the first amendment to the agreement to add a monthly charge beginning October 1, 2013 through September 30, 2018. This fee shall not increase prior to October 1, 2018. Subsequent to October 1, 2018 annual adjustments will be made. A motion was made by Gillen and seconded by Dostal to approve the Fire Protection Agreement with MUD 116. It was approved by a vote of two "ayes" and no "nays".

Mayor Moore introduced agenda item A13 to review and consider approving the Annual Racial Profiling Report. A motion was made by Gillen and seconded by Dostal to accept the Annual Racial Profiling Report. It was approved by a vote of two "ayes" and no "nays".

Mayor Moore asked for the consideration and approving the appointment of CITY OF RICHMOND DEVELOPMENT CORPORATION EXECUTIVE DIRECTOR.

City Manager, Terri Vela is the current director and with the hiring of Rob Tobias, the new Economic Development Corporation Director, it was suggested that Mr. Tobias serve as the Development Corporation Director as well. Commissioner Dostal made a motion to accept Rob Tobias as the new director of the Development Corporation and Commissioner Gillen seconded the motion. The vote was unanimous to accept Mr. Tobias.

Mayor Moore introduced agenda item A15, review and consider approving Resolution No. 63-2014 regarding the appointment of DIRECTOR OF THE CITY'S DEVELOPMENT CORPORATION BOARD OF DIRECTOR. Dave Scott's term had expired and the board reviewed several applications that were received for consideration of the position. A motion was made by Dostal and seconded by Gillen to reappoint Dave Scott to the position, motion carried and Mr. Scott was approved by a vote of two "ayes" and no "nays". Mr. Scott will serve on the board for a term of two years from January 21, 2014 to January 21, 2016.

Mayor Moore introduced agenda item A16, review and consider approving Resolution No. 64-2014 regarding the appointment of DIRECTOR OF THE CITY'S DEVELOPMENT CORPORATION BOARD OF DIRECTOR. Glen Gilmore's term had expired and the board reviewed several applications that were received for consideration of the position. A motion was made by Dostal and seconded by Gillen to reappoint Glen Gilmore to the position, motion carried and Mr. Gilmore was approved by a vote of two "ayes" and no "nays". Mr. Scott will serve on the board for a term of two years from January 21, 2014 to January 21, 2016.

Mayor Moore introduced agenda item A17, review and approval of the Interlocal Agreement with Fort Bend County regarding reimbursement for fire calls. The term of this agreement is October 1, 2013 through September 30, 2014. After a brief discussion, Gillen made the motion to accept the Interlocal Agreement and Dostal seconded the motion. The motion was approved by vote of two "ayes" and no "nays".

Agenda item A18 for the review and consideration of approving RESOLUTION NO. 62-2014 TO SUPPORT THE BRAZOS RIVER AUTHORITY APPLICATION FOR FLOOD PROTECTION PLANNING GRANT ASSISTANCE FILED WITH THE TEXAS WATER DEVELOPMENT BOARD. Gillen motioned to accept Resolution 62-2014 and Dostal seconded the motion. The vote was two "ayes" and no "nays" for approval to support the Brazos River Authority.

Mayor Moore introduced agenda item A19 to review and consider approving the award for Construction on Non-Potable Water Reclamation Line Phase One. It was recommended by the engineer that the award go to Reddico Construction Company, Inc. Seven Construction bids were received and opened. Dostal motioned to approve Reddico Construction Company, Inc. and Gillen seconded the motion and the award was approved with two "ayes" and no "nays".

Mayor Moore introduced agenda item A20 to review and consider approving the award for Construction on East Laurel Oaks Drive. It was recommended by the engineer that the award go to Gonzalez Construction Enterprise, Inc. Four Construction bids were received and opened. Gillen motioned to approve Gonzalez Construction Enterprise, Inc. and Dostal seconded the motion and the award was approved with two "ayes" and no "nays".

Mayor Moore introduced agenda item A21 for review and consideration of approving Agreement for 900 Mhz Radio System, Grant Funding offset amount. Secured by two grant awards \$263,157 and \$50,000 to offset the cost. Commissioner Dostal motioned to approve the Radio System Agreement and Gillen seconded the motion. The vote was approved by a vote of two "ayes" and no "nays".

Mayor Moore introduced agenda item A22 for the review and the possible action on the Electro Purification applications and agreement. It was advised by legal counsel, Patrick Lindner with Davidson, Troilo, Ream & Garza to move this agenda item for discussion in Executive Session.

Mayor Moore announced that the Commission would now meet in Executive Session at 5:05 p.m., as authorized by Texas Government Code Section 551.072 and Section 551.071. Dostal moved to adjourn to Executive Session, and Gillen 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 consultation with attorney, closed meeting.

The Commission reconvened into Open Session at 6:00p.m. and the following action was taken on said agenda items.

Agenda item A22 was to review and consider possible action on Electro Purification applications and agreement. Commissioner Dostal made a motion to exercise the right of the City of Richmond to cancel the city's further obligations

under the memorandum of understanding with Electro Purification, LLC relating to the water supply project, but not the arrangement relating to payment for certain modeling studies; and with draw as a party in the pending proceedings relating to Electro Purification's applications with the Bluebonnet Groundwater Conservation District, and that the mayor, city manager, and their respective designees, be authorized and directed to issue such notices and take any further action as may be required to implement the city commission's decision, including but not limited to consenting to Electro Purification's withdrawal or amendment of the applications pending before the Bluebonnet Groundwater Conservation District. Commissioner Gillen seconded the motion and there were two "ayes and no "nays" regarding the vote.

There being no further business to be brought before the Commission, Mayor Moore asked for a motion to adjourn. Gillen made a motion to adjourn the meeting, Dostal seconded and the Commission adjourned.

APPROVED:

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Evalyn W. Moore, Mayor

Attest:

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Laura Scarlato, City Secretary