

STATE OF TEXAS

COUNTY OF FORT BEND

CITY OF RICHMOND



The City Commission for the City of Richmond, Texas met in Regular Session on August 18, 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
Glen Gilmore, Commissioner
Jesse Torres, Commissioner
Terri Vela, City Manager
Laura Scarlato, City Secretary

Mayor Moore declared the meeting open.

Mayor Moore introduced agenda item number A2, presentation of awards honoring the Water Dept for the Outstanding Public Water System Award and the Cross-Connection Control Recognition Award. The Mayor presented the awards to Lenert Kurtz, Director of Public Works and extended thanks and congratulations to Garren Schmidt (not present) who is the Superintendent of the Water Department.

Mayor Moore introduced agenda item A3, Public comments. She asked for any public comments. There were two signed up to speak, Paul Metcalf and Richard Morrison. Commissioner Morrison requested to address agenda item A7 regarding the annexation during the agenda item.

Mr. Metcalf spoke regarding agenda item A8, the FY 2014 Tax Rate. He encouraged the City not to reduce the tax rate because an excess of funds would allow the City to pay off debt, beautify our City, upgrade roads or use as a rainy day fund. He referenced the George Bush presidency where a refund was given and then in subsequent years there was a shortage of funds.

Agenda item A4 was introduced by Mayor Moore for the Public Hearing on the FY 2014-2015 Budget. There were no questions or comments regarding the budget therefore the agenda item was closed.

Mayor Moore introduced agenda item A5 which was the Public Hearing on the Replat No. 1 for River Pointe Center Reserve "C2", 6.685 acres of land, located on Point West Circle and U.S. Highway 59, City of Richmond, Texas. There being no questions or comments, 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 July 21st and August 4th, 2014.
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 and Quarterly Investment Report.
7. Review and approve the Public Works Report.
8. Set the date for next meeting to be August 27th and September 8 & 15th, 2014 @ 4:30.

Commissioner Gilmore moved to approve the consent agenda without the August 4th minutes per the Mayor's request. Commissioner Torres seconded and the vote was two "ayes" and no "nays" for approval of the consent agenda.

Mayor Moore requested that the minutes for the Special Commission Meeting on August 4th be pulled for a revision to the public comment from Tim Austin. The tax rate would be increased, not decreased.

Commissioner Gilmore moved to approve the August 4th minutes including the requested change. Commissioner Torres seconded and the vote was two "ayes" and no "nays" for approval of the consent agenda.

Mayor Moore introduced agenda item A7 to review and consider approving Ordinance No. 2014-06, the annexation of a 5.531 acre tract of land being out of a called 10.0 acre tract recorded in the name of Warren E. Miller under volume 969, Page 26, in the Fort Bend County Deed Records and 0.286 acre, a 10 foot wide portion of right of way of State Farm Market Highway 359 both located at 1717 F.M. 359 in Fort Bend County, Texas, being in the Randall Jones League Survey, Abstract No. 42, establishing an effective date and approving a service plan for such area and setting an effective date. Commissioner Jesse Torres made the motion to

approve the annexation via Ordinance No. 2014-06. Commissioner Glen Gilmore seconded the motion and the vote was unanimous.

Mayor Moore introduced agenda item A8 to review and discuss the FY 2014 Tax Rate, to take a record vote and to schedule public hearings. It was noted that the tax rate will be decreased from 0.78 cents to 0.77 cents. Terri Vela, City Manager led the discussion and introduced Susan Lang, Finance Director whom addressed the questions and noted that the city will actually realize more tax revenue because more properties have been added. Ms. Lang confirmed there would not be a reduction in services due to the decrease in the tax rate. She indicated it is prudent on our behalf to abide by the Effective Tax Rate as we have an uptick in appraised values. The city is striving to lower the Tax Rate so it would be comparable to the surrounding communities. A vote was taken and Mayor Moore, Commissioner Torres and Commissioner Gilmore all voted in favor of the 0.77 cent tax rate.

Mayor Moore introduced agenda item A9 to review and discuss the FY 2014-2015 Budget and Revenues. Susan Lang, Finance Director responded to questions and presented a slide show. Ms. Lang indicated that tax-exempt values had decreased from 41% to 38%, therefore the city is trending in the right direction. The city is partnering with Municipal Utility Districts to collect sales tax which has increased revenues. Terri Vela, City Manager specified the public hearing dates for the budget would be August 27 and September 8, 2014. No further action was taken.

Agenda item A10 was introduced to review and discuss the update regarding the progress of the Surface Water Treatment Plant. Mr. Jordan Hibbs, P.E. with Enprotec/Hibbs & Todd presented the update on the plant. EHT anticipates completing 95% of the Basis of Design Report by the end of August 2014. The mass grading design of the project is complete and they are scheduled to break ground the second week of September 2014. Matt Breazeale with Kelly Kaluza & Associates ("KK&A") also reported on the progress. The plan specifications have been submitted to the state. An upcoming milestone is their meeting with NRG to discuss the project and the intended plans. The first design review meeting will be at the end of August or early September 2014. There was no action required for this item therefore the agenda item A10 was closed.

Mayor Moore introduced agenda item A11 to review and consider the construction award for mass grading for the Surface Water Treatment Plant Site. Matt Breazeale with KK&A informed the mayor and commission that five construction bids were received and opened. They had one bid that was not reviewed because of irregularities and after review of the remaining four, KK&A are recommending Sonora Construction with a base bid of \$1,697,110 for at total of 270 calendar days to complete the project. Commissioner Gilmore motioned to award the construction contract to Sonora Construction for the mass grading for the Surface Water Treatment Plant Site. Commissioner Torres seconded the motion and there were two "ayes" to accept and no "nays".

Agenda item A12 to review and consider approving the Final Plat for River's Edge, Section 15A which is 19.2948 acres of land with 65 residential lots. Upon recommendation from Mr. Kelly Kaluza with KK&A, Commissioner Gilmore motioned to grant a conditional approval for the Final Plat for River's Edge, Section 15A. Commissioner Torres seconded the motion and the vote was unanimous.

Agenda item A13 to review and consider approving the Final Plat for Campanile Jones Creek which are the Senior Living Apartments located at 1717 FM 359 and includes 5.531 acres of land. The property will consist of 77 units with 186 parking spaces. Upon recommendation from Mr. Kelly Kaluza with KK&A, Commissioner Torres motioned to grant a conditional approval for the Final Plat for Campanile Jones Creek. Commissioner Gilmore seconded the motion and the vote was unanimous.

Agenda item A14 to review and consider approving the Preliminary Plat for Del Webb, Section 14 which is 12.4032 acres of land with 49 residential lots. Upon recommendation from Mr. Kelly Kaluza with KK&A, Commissioner Gilmore motioned to grant a conditional approval for the Preliminary Plat for Del Webb, Section 14. Commissioner Torres seconded the motion and the vote was unanimous.

Agenda item A15 to review and consider approving the Preliminary Plat for Del Webb, Section 15 which is 14.5779 acres of land for 50 estate lots with lake fronts. Upon recommendation from Mr. Kelly Kaluza with KK&A, Commissioner Gilmore motioned to grant a conditional approval for the Preliminary Plat for Del

Webb, Section 15. Commissioner Torres seconded the motion and the vote was unanimous.

Mayor Moore introduced agenda item A16 to review and discuss the Main Fire Station to be located at 200 Houston Street. Terri Vela, City Manager indicated that the new fire station would be 17,000 sq ft at an estimated cost of \$3.8 million. The fire station was needed due to foundation issues with the current building as well as the erosion that is occurring along the Brazos River. The current City Hall annex located at 600 Morton Street will undergo modifications to house the Permit Department. This is an effort to have both Permits and Court, both cash collecting departments in the same building. No action was required and the agenda item was closed.

Mayor Moore introduced agenda item A17 to review and consider approving the request from B.E.A.T 8 "Citizens on Patrol" to waive the street closure fee of \$100.00 along with the \$200 deposit that the city normally requires. This is for the Beat 8 Annual Block Party to occur on August 31, 2014. Commissioner Gilmore made the motion to waive both charges and Commissioner Torres seconded the motion. The votes were two "ayes" and no "nays".

Agenda item A18 to review and consider approving the change order no. 2 on the East Laurel Oaks Project. The change order is for concrete paving and concrete drives on Huisache from East Laurel Oaks to the outfall storm drain. This is in lieu of repairs to the existing asphalt street. The requested increase is for \$32,700 and an additional 60 days. Commissioner Gilmore made the motion to approve the change order no. 2 for the East Laurel Oaks Project from Gonzalez Construction Enterprises with Commissioner Torres seconding the motion. The votes were two "ayes" and no "nays".

Mayor Moore introduced agenda item A19 to review and consider approving the change order for additional Engineering on the East Laurel Oaks Project. The change order submitted by KK&A is for additional engineering and surveying services needed for the redesign and change in plans for concrete paving on Huisache Road in lieu of asphalt. The additional amount requested is \$7,500. Commissioner Torres motioned to approve the change order from KK&A and Commissioner Gilmore seconded the motion. The votes were two "ayes" and no "nays".

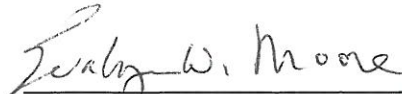
Agenda item A20 to review and authorize City Manager, Terri Vela to submit the Amended Groundwater Reduction Plan to the Fort Bend Subsidence District. The Municipal Utility District Nos. 207 and 215 have been added to the Groundwater Reduction Plan along with their projected water needs. Population projections have been updated to reflect the data from the 2010 census. The plan has been modified to reflect a reduction in the size of the Surface Water Treatment Plant to 2.0 million gallons a day. Richmond's plant size will remain the same. With no further questions or comments, Commissioner Gilmore made the motion to authorize the City Manager to submit the Amended Groundwater Reduction Plan to the Fort Bend Subsidence District. Commissioner Torres seconded the motion and the vote was unanimous.

Mayor Moore announced that the Commission would now meet in Executive Session at 5:50 p.m., as authorized by Texas Government Code Section 551.071. Commissioner Gilmore moved to adjourn to Executive Session, and Commissioner Torres 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 6:10p.m. and no action was taken during Executive Session. However, upon the advice of legal counsel, the petition filed by the Richmond Committee for Citizen Empowerment to amend the City Charter was declared unconstitutional because it violates the Home Rule Charter for the City of Richmond, Section 10.03 Amendment to Charter which states that the charter may not be amended more often than once every two (2) years, as provided by the Texas Constitution. The charter being adopted in the year 2013 would mean it cannot be amended until the year 2015. Therefore the petition was rejected.

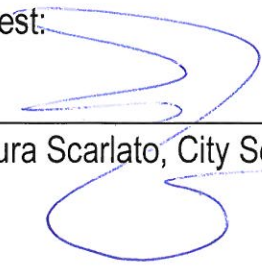
There being no further business to be brought before the Commission, Commissioner Gilmore motioned for the meeting to be adjourned. Commissioner Torres seconded and the Commission adjourned.

APPROVED:



Evalyn W. Moore, Mayor

Attest:



Laura Scarlato, City Secretary