

STATE OF TEXAS

COUNTY OF FORT BEND

CITY OF RICHMOND



The City Commission for the City of Richmond, Texas met in Regular Session on February 20, 2017 at 4:30 p.m.

Prior to the meeting being called to order, Mayor Moore made the following announcements:

Richmond water is safe and is tested on a daily basis. The City meets or exceeds all water quality standards set by the Texas Commission on Environmental Quality (TCEQ) standards and U. S. Environmental Protection Agency (EPA), chromium 6 levels are part of the regular chemical analysis.

The Lamar Little League Parade is March 25, 2017 for Opening Day and invite everyone to come out and support the "winning" Lamar Little League.

The Brazos Cultural Heritage Festival is on March 4, 2017 at Decker Park where there will be food trucks and lots of fun activities and encourages everyone to attend.

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  
Jesse Torres, Commissioner P1  
Barry Beard, Commissioner P2  
Carl Drozd, Commissioner P3  
Josh Lockhart, Commissioner P4  
Terri Vela, City Manager  
Laura Scarlato, City Secretary  
Gary Smith, City Attorney

#### Agenda item A2:

Presentations - no service awards for the month of February, 2017.

Police Chief Gary Adams presented Officer James Williams with a Lifesaving Award for prolonging the life of a Richmond citizen on January 19, 2017.

Police Chief Gary Adams presented Officer Todd Ganey with a Letter of Commendation for recovering 274.6 pounds of marijuana and removing it from the streets of Richmond.

Mayor Moore introduced agenda item A3, Public Comments. There were three individuals signed up to speak:

Rankin Bowen, 1210 Inwood Drive, Richmond, Texas Agenda Item A12  
Dyer Bowen, 1217 Inwood Drive, Richmond, Texas Agenda Item A12  
Tres Davis, 2016 Haven Springs, Richmond, Texas No Agenda Item

Agenda item A4, Public Hearing to receive comments for or against the limited purpose annexation of the commercial properties in Fort Bend County Municipal Utility District No. 121, being Block On (1) of Williams Crossing, a recorded subdivision in Fort Bend County, Texas, and a 5.00 acre of land, located southwest of the intersection of Williams Way Blvd and Wildwood Park Road. There were no comments, therefore the agenda item was closed.

Agenda item A5, Public Hearing on River Pointe Center Reserve "B-2" Replat No. 1, a subdivision of 3.249 acres of land, being Replat of an Unrestricted Reserve "B-2", Block 1 of River Pointe Center, Reserve "B" Replat No. 1 a subdivision of record under plat number 20150137, F.B.B.P.R. located in Joseph Kuykendall League, Abstract Number 49, City of Richmond, Fort Bend County, Texas, to subdivide Reserve "B-2" into two (2) Reserves. The subject site is located on the north side of Pointe West Circle. Subject property is abutting the Sure Point self-storage facility to the west; retail and restaurant uses to the south; and Memorial Herman Sugar Land Hospital to the north. There were no public comments, therefore the agenda item was closed.

Agenda item A6, Public Hearing on Lucky Rudy's Replat, a subdivision of 0.6107 acres of 26,600 square feet of land being a replat of Lots 17 and 18, Block 10, Winston Terrace, Section 2, according to the map or plat thereof record in Volume 316, Page 190 of the deed records of City of Richmond, Fort Bend County, Texas, to create one (1) Reserve and one (1) Block. The subject site is located on the west side of Thompson Road at the corner of Inwood Drive and Thompson Road. In addition to the comments made during the public comments item, Frederick Larsen, 1827 Long Drive, a resident of the subdivision reiterated the previous comments that were made. Dianne DeLeon, 900 Victoria Drive, also spoke regarding the impact the business would have on the neighboring community. No further discussion and the agenda item was closed.

Mayor Moore asked if there was any discussion regarding agenda item A7, the Consent Agenda.

Mayor Moore pulled item A7 (7)

Commissioner Drozd pulled items A7 (2), (3) & (6)

Commissioner Beard pulled items A7 (8)

Commissioner Lockhart made the motion to approve the remainder of the Consent Agenda items with Commissioner Beard seconding the motion and the vote was unanimous to approve.

A7 (2). Commissioner Drozd inquired about the inspections reported on within the Fire Department Report. Commissioner Drozd would like to have a better understanding of what the inspections entail and the violations. A workshop was suggested by Chief Mike Youngblood with the Fire Marshall. Additional comments were made by the Commissioners as to Fire Department Report. Commissioner Beard appreciates the City providing mutual aid however wants the surrounding communities to do their part. Chief Youngblood stated the Fire Chiefs in the area meet once a month and the issue has been brought to their attention. Commissioner Torres expressed concern of vehicles parked on or near roadways in violation of ordinances being properly registered. Chief Youngblood assured the vehicles are being addressed.

A7 (3). Commissioner Drozd directed his comments to the Police Department report and inquired if the grey jeep referenced on Beat #1 and #2 was the same jeep and what is the process regarding notification to the owner. Commissioner Drozd had several questions; does the clock start over when the vehicle is moved to a new location, does the PD have a system to track violations, and how are these issues handled were a few of the questions addressed by Chief Adams. Chief Adams stated the clock does begin again once the vehicle is moved. Commissioner Beard inquired as to how the filing of vacant positions are progressing. Chief Adams stated Richmond is in a competitive market and is also smaller than surrounding cities. Commissioner Beard commended Chief Adams on his presentation at the Central Fort Bend Chamber Alliance Meeting. Mayor Moore complimented the department on their beautiful annual report that was included in the packet this month. Commissioner Torres commended the Police Department for the drug arrests the past two months in a row.

A7 (6). Commissioner Drozd had questions regarding the selection of the retirement plan, banking, insurance and medical plans. Susan Lang, Finance Director stated the city participates in the Texas Municipal Retirement System (TMRS) a statewide retirement system that provides retirement, disability, and death benefits for employees of participating Texas municipalities and it is a defined benefit plan and does not include a selection process. Commissioner Drozd requested an update as to the status of the medical insurance. Director Lang stated Blue Cross Blue Shield is more responsive in providing up to the minute data and will be monitoring it closely.

A7 (7). Mayor Moore acknowledged the work being done in the Wessendorff Park on the Trails System and the realignment by Morton Cemetery. Freeman Town Park is out for Advertisement. Commissioner Beard thanked the Parks Department for the work that has been done regarding Crawford Park.

A7 (8). Commissioner Beard reiterated the Lamar Little League Opening Day Parade on March 25<sup>th</sup> and encouraged everyone to come out and support the event.

Commissioner Beard made the motion to approve Consent Agenda A7 items 2, 3, 6, 7, and 8 with Commissioner Torres seconding the motion. There were 4

“ayes” and no “nays” to approve.

Mayor Moore moved to Agenda item A12.

Agenda item A12 to review and consider taking action on Lucky Rudy's Replat, a subdivision of 0.6107 acres of 26,600 square feet of land being a replat of Lots 17 and 18, Block 10, Winston Terrace, Section 2, according to the map or plat thereof record in Volume 316, Page 190 of the deed records of City of Richmond, Fort Bend County, Texas, to create one (1) Reserve and one (1) Block. The subject site is located on the west side of Thompson Road at the corner of Inwood Drive and Thompson Road. Jessica Duet, City Planner clarified the difference between Suburban Commercial and Suburban Corridor. The property is “zoned for suburban commercial”. There was a lengthy discussion regarding how the project fits into the Comprehensive Master Plan, zoning, purpose, the project not being a “low impact project”. All Commissioners stated their concerns for the project.

Agenda item A8, an update on the City Hall Feasibility Study – Schedule, Milestones and Next Steps. Howard Christian, Public Works Director introduced the representative from PGAL, Paul Bonnette who provided an overview of the proposed City Hall for the City of Richmond. Mr. Bonnette guided the Mayor and Commissioners through the floor plan with an estimated square footage of 33,454. There are an estimated 170 parking spaces needed and would cover a 3 acre tract of land. No action was taken and the agenda item was closed.

Mayor Moore announced that the Commission would now meet in Executive Session at 5:49 p.m., as authorized by Texas Government Code Section 551.071, Attorney Consultation; 551.072 regarding the Real Estate, City Hall Feasibility Study; Lucky Rudy's Replat, a Subdivision of 0.6107 acres and Section 551.074 Commissioner Lockhart moved to adjourn to Executive Session, and Commissioner Beard seconded and the motion carried by a vote of four “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 6:47 p.m.

No action was taken in Executive Session regarding agenda item A8.

Commissioner Lockhart made the motion to deny the Lucky Rudy's Replat, a subdivision of 0.6107 acres of 26,600 square feet of land being a replat of Lots 17

and 18, Block 10, Winston Terrace, Section 2, according to the map or plat thereof record in Volume 316, Page 190 of the deed records of Fort Bend County, Texas. The motion to deny is due to the replat does not conform to the city's overall street plans in that area. Commissioner Beard seconded the motion and the vote was unanimous to deny the replat.

Mayor Moore introduced agenda item A9 which was an Update on the Geographic Information System/GIS Project – Schedule, Milestones and Next Steps. GIS Specialist, Nancy Ricca presented the Commission with an overview of the Geographic Information System. Ms. Ricca provided a series of maps depicting the water (515,587 linear feet of water lines), wastewater (21,039 linear feet of sewer lines) and manholes (150) of the City. The maps also indicate 2,700 nodes which are blowouts, hydrants, plugs, reducers and valves. The next step will be the storm sewer lines. The plans are to train the men in the field and be able to coordinate the maps to their mobile devices. This is huge progress for the GIS Utility Facilities Management Project. No action was needed.

Agenda item A10 was introduced by Mayor Moore as an Update on Wayfinding Master Plan – Schedule, Milestones and Next Steps. Jessica Duet, City Planner provided the Mayor and Commissioners with the recommendation for the Wayfinding Sign being “The Star” Design Concept. A committee will review fonts, colors and develop a site plan to determine sign location and the number of signs needed. Ms. Duet provided the timeline of the project with a completion date of July 31, 2017. With direction from the Commission to proceed with “The Star” design, Ms. Duet will go back to National Sign Plazas, Inc. The Commission did specify that they did not want the bridge to appear so dark that a reader would be unable to read the sign. Ms. Duet stated a proof would be provided to the Commission for their approval before the signs are completed. The agenda was closed.

Agenda item A11 to review and consider taking action on River Pointe Center Reserve “B-2” Replat No. 1, a subdivision of 3.249 acres of land, being Replat of an Unrestricted Reserve “B-2”, Block 1 of River Pointe Center, Reserve “B” Replat No. 1 a subdivision of record under plat number 20150137, F.B.B.P.R. located in Joseph Kuykendall League, Abstract Number 49, City of Richmond, Fort Bend County, Texas, to subdivide Reserve “B-2” into two (2) Reserves. The subject site is located on the north side of Pointe West Circle. Subject property is abutting the Sure Point self-storage facility to the west; retail and restaurant uses to the south; and Memorial Herman Sugar Land Hospital to the north. There was no discussion regarding this agenda item. Commissioner Beard made the motion to approve River Pointe Center Reserve “B-2” Replat No. 1, a subdivision of 3.249 acres of land, being Replat of an

Unrestricted Reserve "B-2", Block 1 of River Pointe Center, Reserve "B" Replat No. 1 a subdivision of record under plat number 20150137, F.B.B.P.R. located in Joseph Kuykendall League, Abstract Number 49, City of Richmond, Fort Bend County, Texas with Commissioner Drozd seconding the motion. The Replat was approved unanimously and the agenda item was closed.

Agenda item A12 discussed previously.

Mayor Moore introduced agenda item A13 to review and consider taking action on the Interlocal Agreement with Rosenberg on a Joint City Master Drainage Plan. Public Works Director Howard Christian addressed the Commission stating the upper Rabbs Bayou drainage basin continues to experience on-going flooding. An update needs to be done due to the changes since the last study that was completed in 2004. The study will look at the most efficient and cost effective way to modify the drainage basin. Commissioner Beard made the motion to approve the Interlocal Agreement with Rosenberg on a Joint City Master Drainage Plan with Commissioner Drozd seconding the motion. The vote was four "ayes" to approve and no "nays".

Agenda item A14 to review and consider taking action on the Engineer's Recommendation of Award of Construction Contract for Chloramine Conversion for the Surface Water Plant. Howard Christian, Public Works Director provided a brief synopsis of the requirement of the conversion of the drinking water disinfection from free chlorine residuals to chloramines. The City has plans to educate the public as to the process as well as soon as April, we will be meeting with the Municipal Utility Districts. WW Payton Corporation having been the contractor with the lowest bid at \$525,000 was recommended by Kelly Kaluza and Associates, City Engineer. Commissioner Drozd made the motion to approve the Engineer's Recommendation of Award of Construction Contract for Chloramine Conversion for the Surface Water Plant with Commissioner Beard seconding the motion. The vote was unanimous to approve.

Agenda item A15 to review and consider taking action on the Engineer's Recommendation of Award of Construction Contract for Surface Water Plant Distribution Pipeline – Transmission Line. Howard Christian, Public Works Director addressed the Commission regarding the 3.4 miles of 20 inch water line to be constructed. Ten bids were received and reviewed on January 31, 2017 with Reddico Construction having the lowest bid at \$2,782,341.25. Based on prior work history with Kelly Kaluza and Associates, this contractor was recommended. Commissioner Beard made the motion to approve the Engineer's Recommendation

of Award of Construction Contract for Surface Water Plant Distribution Pipeline – Transmission Line. The motion was seconded by Commissioner Drozd and the vote was unanimous.

Mayor Moore introduced agenda item A16 to review and consider taking action on the first reading on Resolution No. 174-2017, authorizing funding for the Wayside Horn Project or Quiet Zones. City Attorney Gary Smith addressed the Commission stating this is the first reading of the Resolution No. 174-2017 and there will be a second. There was a brief discussion with Commissioner Beard stating the concern that the City of Richmond is contributing 50% of the project and the County will be managing the project. The City needs to be updated on the status and receive reports and updates at all times throughout the process. City Manager Terri Vela assured the Commission that through the Interlocal Agreement the City will have a voice. Commissioner Beard making the motion to approve Resolution No. 174-2017, authorizing funding for the Wayside Horn Project or Quiet Zones. Commissioner Torres seconded the motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A17 to review and consider taking action on the Water Supply Agreement for Long Acres Ranch through Henderson Wessendorff Foundation. Gary Smith, City Attorney addressed the Commission regarding the request made by the Visitor Center at the Long Acres Ranch to supply water service not to exceed 895 gallons per day. The water supply will be provided to the Property by the City at two (2) times the published rate applicable to similar users within the City. The contract is for a 15 year period. City Manager Terri Vela answered questions as to the contract capacity being limited to 895 gallons per day, the published rate and the contract period. Commissioner Drozd made the motion to approve the Water Supply Agreement for Long Acres Ranch through Henderson Wessendorff Foundation with Commissioner Lockhart seconding the motion. The votes were four “ayes” and no “nays” to approve.

Agenda item A18 to review and accept the Petition for annexation of 1531 FM 359, 3.6087 acres located on the west side of FM 359 approximately 2,300 feet south of Plantation Drive, adjacent to the corporate City Limits of Richmond on the west along Jones Creek and to the east along FM 359, hereby petition the City of Richmond, Texas, to voluntarily annex said property. Gary Smith, City Attorney addressed the Commission regarding the petition. Paula representing the owner, Sehar Investment Group, LLC was present to answer questions. There was a discussion as to the language and the term “vacant” and if the property is indeed vacant. Commissioner Beard made the motion to approve the Petition for annexation of 1531 FM 359, 3.6087 acres located on the west side of FM 359

approximately 2,300 feet south of Plantation Drive, adjacent to the corporate City Limits of Richmond on the west along Jones Creek and to the east along FM 359, hereby petition the City of Richmond, Texas, to voluntarily annex said property **as long as the language of the petition is cleaned up**. Commissioner Lockhart seconded the motion and **reiterated the same concerns regarding the language of the petition** and the votes were unanimous to approve.

Agenda item A19 was moved to the end of the meeting.

Mayor Moore introduced agenda item A20 to review and consider taking action on the 2016 Racial Profiling Report under Article 2.132 of the Texas Code of Criminal Procedure. Police Chief Gary Adams addressed the Commission with respect to the Racial Profiling Report which is a requirement of the Texas Racial Profiling Law. The report was generated by municipal court and consists of six sections. Chief Adams reported the City of Richmond Police Department is in full compliance with the Article 2.132 of the Texas Code of Criminal Procedure, training and education, the Racial Complaint Process, the collection of data, no methodologically conclusive indications of systemic racial profiling and the reporting of information to TCOLE. Commissioner Lockhart commended the Police Department for having **"no complaints"** reported on the Racial Profiling Report. Commissioner Torres made the motion to approve the 2016 Racial Profiling Report under Article 2.132 of the Texas Code of Criminal Procedure. Commissioner Beard seconded the motion and the vote was unanimous to approve.

Agenda item A21 to review and consider taking action on Resolution No. 175-2017, Determining the condition, value, future utilization and disposition of the Fire Station No. 2. Susan Lang, Finance Director explained the process necessary for the Resolution before them. The property is owned by Fort Bend County and the mobile home that is located on it was used as the temporary fire station. At this time, it has been deemed valueless and can be moved free of charge. In order for the asset to be removed from the books, the Commission would need to approve the property as having a zero value. Commissioner Beard made the motion to approve Resolution No. 175-2017, Determining the condition, value, future utilization and disposition of the Fire Station No. 2 with Commissioner Lockhart seconding the motion. The vote was unanimous to approve.

Agenda item A19 to review and consider taking action on Ordinance No. 2017-02, Amending Richmond Code, Chapter 34 "Utilities", Article III; "Rates and Deposits; Billing and Collection Procedures," Section 34.59 "Deposit" and Article V "Water System," Section 34-113 "Deposits; refunds" to provide regulations relating to



deposits for utility services. Susan Lang, Finance Director addressed the Mayor and Commissioners regarding the Ordinance No. 2017-02 to amend the current deposit portion of the Ordinance No. 2016-04, amended by Ordinance No. 2016-09 passed on February 15, 2016. Director Lang stated the intent was to reduce the number of delinquent customers, which it has accomplished, however unintended consequences have occurred. City Manager Terri Vela is recommending that the \$80 deposit required upon the termination of two times be removed or amended and revert back to the \$150 deposit contained in Ordinance No. 2016-04. The Commissioners suggested perhaps some additional creative ideas could be implemented to address the issues and/or a complete overhaul of the penalties and donations to citizen accounts. Commissioner Torres suggested the City be more "business friendly". Commissioner Beard stated the City needs some way to "create some heart". The motion was made by Commissioner Torres to approve Ordinance No. 2017-02, Amending Richmond Code, Chapter 34 "Utilities", Article III; "Rates and Deposits; Billing and Collection Procedures," Section 34.59 "Deposit" and Article V "Water System," Section 34-113 "Deposits; refunds" to provide regulations relating to deposits for utility services with Commissioner Lockhart seconding the motion. The vote was unanimous to approve.


With no further business to discuss, Commissioner Lockhart made the motion to adjourn with Commissioner Drozd seconding therefore the meeting was adjourned at 7:46 p.m.

APPROVED:



Evalyn W. Moore, Mayor

Attest:

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Laura Scarlato, City Secretary