

STATE OF TEXAS

COUNTY OF FORT BEND

CITY OF RICHMOND



The City Commission for the City of Richmond, Texas met in Regular Session on November 16, 2015 at 4:30 p.m.

- Before the meeting was declared open, the Mayor requested the assembly observe a moment of silence for the more than 120 victims of Paris, France that were killed on November 15, 2015.
- Mayor Moore thanked and recognized the individuals who participated in the Keep Richmond Beautiful event held on November 13, 2015.
- An update was given of the fall cleanup events that were held on November 7th (12.68 tons) and November 14th (7.38 tons) and a reminder of the November 21st date that is scheduled.
- Mayor Moore also recognized the new Richmond Magazine and encouraged the guests to read it as it is an outstanding publication.
- Jesse Torres was recognized by the Mayor for attending the recent HGAC Conference and commended Commissioner Torres for participating.

Mayor Moore called the meeting to order at 4:36 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
Betsy Johnson, Attorney

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

- Dwayne Price, 30 Years with the Parks Department
- Mayor Moore introduced the New Public Works Director, Mr. Howard Christian. City Manager Terri Vela announced Mr. Christian would be starting on December 1, 2015.

- Mayor Moore recognized Mike Moody as being promoted to the Wastewater Superintendent.
- The Richmond Police Department was presented with the Re-Recognition Program Status for compliance with Texas Law Enforcement Status for compliance with Texas Law Enforcement Agency Best Practices Recognition Program by the Texas Police Chiefs Association Foundation. Mayor Moore stated this is the gold standard of compliance and recognition. Mr. Robert Burby with the Texas City Police Department who serves as the 3rd Vice President of the Texas Police Chiefs Association was on hand to present the award to Police Chief Gary Adams. Mr. Burby explained the recognition program to the Mayor, Commissioners and guests as a voluntary process where police agencies prove their compliance with 164 Texas Law Enforcement Best Practices. The Police Department submits an annual report that is in turn reviewed by nine police chiefs within the state of Texas. The "Recognized" status is awarded for a four year period. The City of Richmond Police Department has been "Re-Recognized" as one of the best in the state of Texas. Out of over 1000 police departments only 40 have been re-recognized. The City of Richmond Mayor and Commissioners congratulated the Police Department as they are all very proud.

Mayor Moore introduced agenda item A3, Public comments. She asked for any public comments. There were no comments; therefore the agenda item was closed.

Mayor Moore introduced agenda item A4, the consent agenda with the following items to be approved. Commissioner Torres made the motion to approve the Consent Agenda with Commissioner Gilmore seconding the motion. The vote was unanimous to approve.

1. Review and approve the minutes for the October 19, 2015 Commission Meeting.
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 Public Works Report.
8. Review and consider taking action on the Preliminary Plat for the Berry Tract, 20.386 acres of land, located off of I69 and FM 762, subject to conditions.

9. Set the date for the next meeting to be Monday, December 21st @ 4:30p.m.

City Manager Terri Vela made note that Consent Agenda item 8 was a new item that will continue to be on the agenda as plats are now being reviewed by the Planning and Zoning Commission.

Mayor Moore introduced agenda item A5 to review and consider taking action on Resolution No. 115-2015, Authorizing publication of Notice of Intent for the Certificates of Obligations for the 2nd phase of Bonds (Series 2016) for the Construction of the Surface Water Treatment Plant. Terri Vela introduced Finance Director Susan Lang to the process of issuing the CO Bonds. Director Lang stated this was the second phase of the financing for the Surface Water Treatment Plant that will be issued on January 11, 2016. The \$6.3 million should be all that is needed to complete the plant. Commissioner Gilmore made the motion to approve Resolution No. 115-2015, Authorizing publication of Notice of Intent for the C. O. for the 2nd phase of Bonds. Commissioner Torres seconded the motion and the vote was two "ayes" and no "nays".

Agenda item A6 to review and consider taking action on Resolution No. 120-2015, Authorizing publication of Notice of Intent for the Certificates of Obligations (Series 2016) for Streets and Drainage, Fire Apparatus and Facilities. Finance Director Lang stated the \$3.6 million that will be issued in January 11, 2016 would fund a new fire truck, street improvements, fire station #2 and right of way acquisitions. Director Lang stated the City is taking advantage of the current market. Commissioner Torres made the motion to approve Resolution No. 120-2015, Authorizing publication of Notice of Intent for the C.O. for streets and drainage. Commissioner Gilmore seconded the motion and the vote was two "ayes" and no "nays" to approve.

Mayor Moore introduced agenda item A7 to review and consider taking action regarding Resolution No. 116-2015, FY 2016-2017 Fort Bend Central Appraisal District Board of Directors Election. After a brief discussion Commissioner Gilmore motioned to allocate the city's eleven votes among the five candidates giving each individual 2 votes with the remaining vote going to the current Board Chairman, Mr. Jim Kij. Therefore, Mr. Kij would receive 3 votes. Commissioner Torres seconded the motion and the vote was unanimous.

Agenda item A8 to review and consider taking action on the Demolition Lien, waiver of interest. Finance Director Lang spoke regarding this item and the citizen

request for the property located at 711 Newton Drive. There is a Demolition Lien that has been on the books since 2007 whereas the interest has accumulated to \$3,369. The citizen would like to pay the principal amount of \$4,200 and is requesting the city waive the interest. After a brief discussion, the Finance Director was given direction by the Mayor and Commissioners to go back to the citizen and negotiate some sort of settlement. Possibly waive a portion of the interest or request all and/or develop a payment plan. There was no further action on this item therefore, it was closed.

Mayor Moore introduced agenda item A9 to review and consider taking action on the Resolution No. 117-2015, consenting to the annexation of 105.474 acres from the Henderson Wessendorff Foundation into the Fort Bend County Levee Improvement District No. 6. City Manager Terri Vela stated this was not an annexation into the City, only into the Levee District. Vela stated that granting consent would allow MUD 215 levee improvement protection. Commissioner Gilmore motioned to approve Resolution No. 117-2015 with Commissioner Torres seconding the motion. The vote was two "ayes" and no "nays" to approve.

Agenda item A10 to review and consider taking action on the Landscaping Variance request on Section 20.212, Subsection E. Buffering from the Interim Regulation. City Manager Vela indicated that Kelly Kaluza the City Engineer has recommended the variance request be granted. Mr. Kaluza spoke to the Mayor and Commissioners the property at 706 So. 2nd Street. Mr. Kaluza described the requests and stated he and City Planner Jessica Duet agreed the regulations would place an undue hardship on the property owner therefore he is recommending the City grant the request. Commissioner Gilmore made the motion to grant the Variance request for the Landscaping on Section 20.212, Subsection E. Buffering from the Interim Regulation. Commissioner Torres seconded the motion and the agenda item passed with a unanimous vote.

Mayor Moore introduced agenda item A11 to review and consider taking action regarding an Interlocal Agreement between the City and LCISD regarding upsizing the water line and granting the City a 25' water and sanitary sewer easement. City Manager Vela stated the agreement had been reviewed by Kelly Kaluza City Engineer. Mr. Kaluza identified the situation as Williams Elementary on FM 762 wanting to tie in to the City's line and in turn they would grant the City an easement. The City is requiring them to upsize the line from an 8" to a 12", the City would provide some of the funds in exchange for the easement. Mr. Kaluza recommended that the City approve the Interlocal Agreement. Commissioner Torres

made the motion to approve the Interlocal Agreement between the City and LCISD regarding the upsizing of the water line and granting the City a 25' water and sanitary sewer easement. Commissioner Gilmore seconded the motion to approve and the vote was two "ayes" and no "nays".

Agenda item A12 to review and consider taking action on the waiver of fees for the Annual Block Party – B.E.A.T. 8 Citizens on Patrol. City Manager Vela declared that the City has received a letter requesting the waiver of fees for the event that took place on September 6, 2015. Vela indicated that the event is funded by the neighborhood. The City typically does not waive the barricade fees but in the past the City has waived the \$100 a day fee for the streets to be closed. Commissioner Gilmore motioned to approve the waiver of fees for the Annual Block Party with Commissioner Torres seconding the motion. The vote was unanimous to approve.

Agenda item A13 to review and consider taking action on the Park Agreements for Youth Football Leagues was pulled from the agenda. The item was closed.

Mayor Moore introduced agenda item A14 to review and consider taking action on the Recommendation of the City's Insurance Carriers for the 2016 Plan Year. Finance Director Lang quantified the process of selecting the City's Insurance Carrier. Each year the City reviews the current insurance with a committee of employees. The City receives bids from different insurance companies with different products. Lang stated after careful review it was determined to be less expensive to award the insurance coverage for the City to Aetna. This will allow for a 1.2% reduction and a decrease in the deductible. Commissioner Torres made the motion to approve the Recommendation of the City's Insurance Carrier for the 2016 Plan Year. Commissioner Gilmore seconded the motion and the vote was two "ayes" and no "nays".

Agenda item A15 to review and consider taking action on Resolution No. 118-2015, Utility Agreement for William Ranch MUD no. 1 was pulled from the agenda. The item was closed.

Mayor Moore introduced the agenda item A16 to review and consider taking action on the Engineer's Recommendation to award the bid for the FM 359 and US 90A Utility Relocation. Kelly Kaluza spoke regarding the bid process and recommends Vaca Underground Utilities, Inc. The City has never worked with Vaca

but Mr. Kaluza feels they will do an excellent job and were the lowest bidder. This is a TXDOT project but the Utility Line has to be relocated. The project is scheduled to begin construction in February, 2016. Commissioner Gilmore made the motion to award the bid for the 359 and US 90A Utility Relocation to Vaca Underground Utilities with Commissioner Torres seconding the motion. The vote was two "ayes" and no "nays to approve.

Mayor Moore presented agenda item A17, the review and consider taking action on Resolution No. 119-2015, the appointment and possible removal of members on the Charter Review Commission. City Manager Vela described the circumstances of the previous Charter Review Commission. Vela stated that at the meeting four members resigned and 1 was determined unqualified. Therefore, the Commission needs to recommend five members. She indicated the two alternates would move up and fill two of the vacancies. Commissioner Torres stated that two members violated the Open Meetings Act, of those one resigned and one remained on the board and he is not comfortable with that board member remaining. There was a lengthy discussion. Attorney Betsy Johnson explained that the Charter Review Commission is only an "advisory" board and does not make decisions, only recommendations to the Commission. They have no authority regarding the petition that was circulated and was also the subject of the violation of the Open Meetings Act. City Manager Vela confirmed that the four members without a doubt resigned. One resigned, two others followed him out and then the remaining member shouted that he resigned. Commissioner Gilmore made the motion to discuss the new appointments in Executive Session with Commissioner Torres seconding the motion. The vote was unanimous to approve.

Mayor Moore announced that the Commission would now meet in Executive Session at 5:34 p.m., as authorized by Texas Government Code Section 551.074; Attorney Consultation to Personnel Matters and Board Appointments. Commissioner Gilmore made the motion to adjourn to Executive Session and Commissioner Torres seconded with two "ayes". Mayor Moore announced that the City Commission adjourns into executive session, closed meeting.

The Commission reconvened into Open Session at 6:26 p.m.

City Manager Vela announced the appointees to the Charter Review Commission. There are as follows:

Tom Crayton (alternate elevated)

Jim Klentzman (alternate elevated)
Rita Cobbin
Verge Greenwood
Alice Bijara

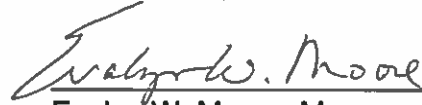
Alternates: Robert Dawson
Ronnie Landry
Frank Pena

Commissioner Torres stated he was not comfortable with Board Member Wayne Wright remaining on the Board so he voted a "nay" to the recommended board. Commissioner Gilmore made the motion to approve the Board that was proposed from Executive Session. Commissioner Torres voted "nay" and the Mayor voted "aye" therefore the recommended board was approved. There was a discussion with Commissioner Torres regarding the vote needing to be unanimous for the Board. City Attorney Betsy Johnson explained the process to Commissioner Torres.

The Commission authorized the City Manager Terri Vela to employ the new City Attorney.

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. The meeting was adjourned at 6:34 p.m.

APPROVED:



Evalyn W. Moore, Mayor

Attest:



Laura Scarlato, City Secretary